

Minutes of a Regular Town Board Meeting held by the Town Board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Tuesday, July 6, 1999, at 7:00 p.m.

**Present:**

Vincent Villella,	Supervisor
James Lull,	Councilman
Mark Kwasna,	Councilman
Philip Cardinale,	Councilman
Christopher Kent,	Councilman

**Also Present:**

Barbara Grattan,	Town Clerk
Adam Grossman, Esq.,	Town Attorney

Supervisor Villella called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited led by Edna Houston.

Supervisor Villella: "We are going to take this out of turn now. What we are going to do-- we have to pass Resolution 578 first and then we'll proceed with that, so is there-- who would like to move it? Because we'll pass it here then we're going down."

Resolution #578

Barbara Grattan: "Resolution #578 promotes Police Officer Thomas Lessard to the rank of Police Sergeant. Councilman Kent?"

Councilman Kent: "So moved."

Supervisor Villella: "Is there a second?"

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Supervisor Villella: "Okay, let's go down."

Chief Grattan: "Ladies and gentlemen, the reason for us being

here this evening is that a vacancy has occurred in the Riverhead Police Department in the rank of sergeant which is first line supervisor. Tom Lessard, who is this gentleman right here, wrote the number one paper for the sergeant's examination-- 90%, and he was in line for the promotion and tonight we're here.

Just a word before I start that. Moving out of order just a little bit and not wishing to trespass on anybody's personal life, but I think something should be mentioned. Tom and Dave, as you can readily see, are twins and very-- unfortunately at a very young age, they were left without a dad, many years before their teenage time. And I think it's only right that I mention Mrs. Lessard who is with us this evening, brought up two boys and indeed, Mrs. Lessard, you must be one of the happiest women in the town of Riverhead.

Tom joined the Riverhead police department in 1988, patrol division. When we formed our CRU unit-- our community response unit, he was one of the first ones selected. Those are hand picked individuals based on their performance. Tom has been a member of the CRU unit. Last January he was promoted to the rank of Detective and now he is being promoted tonight to the rank of Sergeant.

Until tonight I held the record. I was a Detective for only 19 months. Tom was a Detective for only six months. I lost that. Tom, congratulations, best of luck, be safe."

Supervisor Villella: "All right. We are just going to wait a couple of minutes until they clear up. It's good to see a lot of people here for Tom. Okay. Let's approve the minutes of July 6th and also the Special Board Meeting of June 21st and June 28th. Do I have a motion?"

Councilman Lull: "So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent."

Councilman Kent: "I wasn't present at one of those meetings so should I abstain, I guess. Yes, I'll abstain."

The Vote (Cont'd.): "Kwasna, yes; Lull, yes; Villella, yes. 4

yes and 1 abstention."

Supervisor Villella: "Barbara, could you please read the Reports?"

**REPORTS:**

Receiver of Taxes	Utility collections report for June Total collected: \$209,510.68
Town Clerk	Monthly report for June, 1999 Total collected: \$9,590.56
Police Department	The monthly report for May
Juvenile Aid Bureau	Monthly report for June
Sewer District	Discharge monitoring report for May
Open Bid Reports	For South Jamesport Beach Lighting District, 2 bids were received  Pulaski Street Demolition, 4 bids were received  Police/Justice Court Building fire alarm, 6 bids were received  Salvage of house at 143 Cliff Road, no bids were received

**APPLICATIONS:**

Exhibition Permit	MOST (Mothers of Super Twins)
Exhibition Permit	K-mart Race Against Drugs - amended application
Special Permit application	East End Commons, expanding BJ's Wholesale Warehouse
Riverhead Fire Dept.	12th Annual Invitational Motorized Drill August 28 and rain date is

August 29

Living Water Full  
Gospel Church

Grangeble Park, July 24 from 10 to  
3 p.m. teenage youth group will  
display a poster to identify it as  
a prayer station

Exhibition Permit

Tanger Factory Outlet Center tent  
sale

Exhibition Permit

Apple Chevrolet tent sale

**CORRESPONDENCE:**

Island Water Park

5 petitions opposing with a total  
of 200 signatures

1 petition supporting with a total  
of 257 signatures

Calverton Civic Assoc.

Letter objecting to the Island  
Water Park project

Art and Marilyn Binder

Letter stating the hazardous con-  
ditions that will accompany Island  
Water Park

David Koroleski

Letter to the Planning Board with  
regard to Pond View Estates

George Richmond

Letter commending Rich Gadzinski

East End Arts Council

Letter regarding the amendment of  
an exhibition permit

Stanley Krupski

Letter regarding the proposed local  
law on unregistered vehicles

Dave and Pam Young

2 petitions supporting the name of  
George M. Young community Center  
stay the same with a total of 178  
names

Mesta Vista

A petition to add traffic signs to

	the Mesta Vista neighborhood with a total of 41 signatures
Image Gallery	2 letters supporting the hiring of Matt White on a full time basis
Mr. and Mrs. Howard A. Levine	Letter strongly objecting the use of 117 Sound Avenue for a multi-family dwelling
James Shevlin	Letter concerning the severe flooding problems on Beach Road in Laurel
Dee Casper	Letter concerning the former Grumman property in regard to the buffers near the road, and the specific use of the land
Sandra Adams	Letter regarding traffic conditions on Route 58, Joseph Janoski's disability judgment, and the Lebanon Chemical Plant in Jamesport
Jon and Rosemarie Hawkins	In full support of the development rights of the Arthur Stakey property on Church Lane in Aquebogue
Martin F. Sendlewski	Letter regarding proposed restaurants for Dries/Specchio
Tim Yousik	Regarding bicycle police (letter to be read at meeting)

Barbara Grattan: "This was written on June 24 to the Riverhead Town Board.

Dear Members of the Town Board:

At the Riverhead Business Improvement District Management Association meeting of June 8th, the Board of Directors discussed the Bicycle Police that the Town employs during the summer months.

The Bicycle Police have been a wonderful asset to the downtown during the years that they have been on staff. The one problem that we would like to address, however, is the limited time that these officers have to spend in the downtown. In the past, the two officers are assigned to cover the areas of Route 58 and downtown. This large of an area makes it very difficult for the officers to have a strong impact on either area.

During the summer months when visitors to our area are at a peak, the presence of two Bicycle Police Officers stationed only to downtown would go a long way in moving vagrants and loiterers from the public areas on Main Street and Railroad Avenue. It can be quite intimidating for a visitor from out of town to step off the train and have to walk through a group of derelicts, or for that matter, step over them as one of our family members had the pleasure of doing recently.

We realize that the Town has budget constraints at the present time but we ask that you understand the importance of this issue and re-evaluate what current funding you have appropriated.

Sincerely, Tim Yousik, President"

**CORRESPONDENCE (CONT'D)**

Traditional Links	203 post cards in opposition of the construction
Broad Cove and Hubbard Farm	54 cards concerning the support of these properties being preserved as part of Indian Island State Park

Supervisor Villella: "Very good. Thank you, Barbara. We'll go into the public hearings."

Public Hearing opened: 7:26 p.m.

Supervisor Villella: "Let the record show the time of 7:26 has arrived. Would you please read the public hearing?"

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York at 7:05 p.m. on July 6, 1999 to hear all interested persons who wish to be heard regarding the consideration of the purchase of

development rights of 25.956 acres of agricultural lands owned by Cal Hollow Farms located on Reeves Avenue, Calverton, New York."

Supervisor Villella: "Thank you, Barbara. Julie. I know she-- there she is, okay."

Julie Wesnofske: "I'm Julie Wesnofske from the Peconic Land Trust. And on behalf of the Farmland Committee and the Trust, I'd like to tell you about this proposed purchase of development rights sale. It's on-- just shy of 26 acres on the north side of Reeves Avenue. I have a tax map up here. It's virtually surrounded by other protected properties at this point. It had been protected by the Suffolk County Purchase of Development Rights Program and it's a critical piece that makes up part of a large mass of farmland.

If this piece succeeds in being preserved, there will only be one other piece on a whole block of farmland extending north from Reeves Avenue to Sound Avenue and east from-- to Horton from Osborn.

All the properties within that block will then be preserved, keeping the massive farmlands complete.

The agreed upon purchase price has been \$8,600 an acre which would bring the total purchase price of this property to \$223,221 and this price is supported by an appraisal that was done by Patrick Gibbon Assoc. (phonetic) on May 20, 1999. The appraisal price actually is \$8,750 acres-- \$8,750 an acre. During the process of negotiations, the owners have agreed to accept a lower purchase price at \$8,600 an acre, leaving that \$150 difference an acre to be used as a charitable gift. It saves the town in this case about \$4,000 and the owners will be able to offset the capital gains which they will incur on the sale.

So, it works out to everyone's benefit. It's not a huge amount of money but you do this on lots of sales, it can really add up."

Supervisor Villella: "Julie, can you explain that it's a 70/30? This particular property, is that county 70, town 30?"

Julie Wesnofske: "This particular property actually will be purchased only by the town. The county won't be involved in the sale."

Supervisor Villella: "Too small of a deal for them?"

Julie Wesnofske: "However, as you may recall, the town has been awarded about \$400,000 from the New York State Department of Agriculture and Markets which we would like to use on this sale. In that case, it's a 75/25 split, the state providing 75% of the funds and the town having to match with 25% of the funds. So in this case, that would only be about \$50,000 that the town has to put up to preserve this property."

Supervisor Villella: "Beautiful."

Julie Wesnofske: "The owners are prepared to move ahead and sign a contract. They'd like to close by the end of the summer, if possible. So we request that the Board this evening close the hearing and barring any negative response from the public, go ahead and authorize Supervisor Villella to sign a contract and we'll move ahead."

Supervisor Villella: "Thank you, Julie. Anyone else like to speak? Rolph?"

Rolph Kestling: "Rolph Kestling, Wading River. I see there's quite a few of them here, what you're going to get development rights on. So after the farmers get their development rights, I suppose the first thing they're going to do is build temporary greenhouses, will pay no real estate tax on, and if they don't use them, they'll rent them out. Thank you."

Supervisor Villella: "That's not true, but-- you can, Julie."

Julie Wesnofske: "Just for clarification-- I don't think that is entirely possible and completely allowed on protected agricultural lands. But in this case, the property is in active production with potatoes and the owners hope to continue producing potatoes."

Supervisor Villella: "Anyone else like to speak on this public hearing? Steve?"

Steve Haizlip: "Steve Haizlip from Calverton. You always buy this land for the town and the young lady said it's going to stay in production. Now, where are the taxes coming from so that we don't make up the difference on what you just paid for the land? What she say, \$50,000, something like that? So where are the taxes? The person that's going to be productive in potatoes, are you going to pay the taxes? You own the land-- "



Councilman Kwasna: "No, we don't own it."

Councilman Kent: "We own the development rights."

Supervisor Villella: "Just the development rights we own, Steve."

Councilman Kent: "He retains his agricultural value and he will pay taxes only based on the agricultural value of the property. Without development rights."

Steve Haizlip: "Okay. So, we're going to get-- "

Councilman Kent: "So it will be a very limited amount of tax dollars that we will receive as a town."

Steve Haizlip: "Well, that's usually the way."

Supervisor Villella: "But it's better than having a hundred homes on it, Steve. Sal."

Sal Mastropolo: "Sal Mastropolo, Calverton. I think what Mr. Kent just said was that the taxes are going to go down on the property?"

Councilman Kent: "To a limited extent. It's already received the benefit of an ag assessment because it's-- I believe this property is in the ag commitment program, so they are going to receive a tax break."

Sal Mastropolo: "Is it going to go down any more? That's the question."

Councilman Kent: "It probably will go down a small amount."

Sal Mastropolo: "That's not fair to the rest of the town. Because if their taxes go down, our taxes are going to go up to make up the difference, okay. Not only are we giving them \$221,000, okay, for his development rights, but now we're going to lower the price of the taxes and there's like five or six other pieces in the same situation."

Councilman Kent: "Well, there's three other-- "

Sal Mastropolo: "Everybody else in the town is going to bear the brunt of putting all of this farmland-- "

Supervisor Villella: "Does anyone know what the brunt-- "

Councilman Kent: "There's two others on for hearing tonight and the policy behind this is that by not letting this be developed as residential property in the long run we're probably saving tax dollars because the services that have to be provided to residential development are greater than the amount of tax dollars you'd collect from residential development. So-- "

Supervisor Villella: "We have a project right in front of-- in your area-- 150 homes that came in front of us in Wading River."

Councilman Kent: "The way to pick it up would be to promote and develop industrial uses in the town that provide a much better tax dollar but that's not on this agricultural property. The threat here is residential development."

Sal Mastropolo: "Okay, but I just don't understand why we have to keep lowering, okay, the tax base. We're giving them the money up front. Why can't we continue to collect the same taxes, okay, off that property?"

Councilman Kent: "Well, we actually have not made it-- an analysis of the tax impact. I would like to see that. Maybe we should do that and present that at the next Town Board meeting."

Sal Mastropolo: "I mean this comes up at every Town Board meeting and we ask the same question and we get the same answer all the time and we continue to lower the tax base. And the rest of us pick it up."

Supervisor Villella: "Thank you, Sal. Any-- George?"

George Schmelzer: "This farmland trust or mistrust, whatever you call it, do they farm or just make noise?"

Councilman Kent: "Well, this is (inaudible) Farm. Cal Hollow is (inaudible). They farm potatoes. I think you've seen their field. It's on the corner of Youngs and Osborn Avenue and it's a full field of potatoes, planted today. If you went by there today, you'd see it."

George Schmelzer: "I mean this Farmland Trust, who are they?"

Councilman Kent: "Peconic Land Trust?"

George Schmelzer: "Yeah."

Councilman Kent: "Well, they're just negotiating for us. The development rights are actually-- "

George Schmelzer: "Are they farmers or just an environmental group, or what are they?"

Supervisor Villella: "It's a combination, I guess. Because one of the members of the Board is the oldest farmer in Suffolk County-- family."

George Schmelzer: "Who?"

Supervisor Villella: "Halsey family."

George Schmelzer: "I thought he was an admiral in the Navy. Well, then, you're against people moving in here so on this Town Board here, how many people were raised in this town? Raise your hand, please. You were raised here in Riverhead?"

Supervisor Villella: "Well, for forty something years."

George Schmelzer: "Were you born in this town? Did you grow up here? Did you go to school here?"

Supervisor Villella: "Yes."

George Schmelzer: "Riverhead High School?"

Supervisor Villella: "Yes. What, am I on trial here?"

George Schmelzer: "Yeah, everybody else is on trial, you might as well be, too. Those who weren't raised here should contribute by resigning and going back to where you came from. That will help bring less people in town, see."

Councilman Kent: "The thought has passed through my mind."

George Schmelzer: "Huh?"

Councilman Kent: "That thought has passed through my mind several times. In fact today, at least three times."

George Schmelzer: "Well, it should stay in your mind, maybe be good, huh. Yeah."

Councilman Kent: "You know what? You almost convinced me."

Supervisor Villella: "Okay, George."

George Schmelzer: "Well, this-- "

Supervisor Villella: "I want to have Laverne come up here from the Assessor's office and she'll explain the situation to everybody."

George Schmelzer: "Well, you should know it ahead of time. You mean, you don't know it, you have to ask her?"

Supervisor Villella: "That's her department."

George Schmelzer: "Well, you should have asked here before, before you proposed this."

Supervisor Villella: "No, no, no. Not that-- "

Councilman Kent: "This is the public hearing-- this is the appropriate place to hear this."

Supervisor Villella: "Okay, George. Laverne, would you please come up. Thank you."

George Schmelzer: "You're welcome."

Laverne Tennenberg: "Laverne Tennenberg, Chairman of the Board of Assessors. I'm not sure if this parcel is actually in the agricultural program. If it is, there will be no diminution of taxes that are collected on the property because the state sets the taxable values for agricultural land depending on the type of acreage that it is, what soil group, and the assessment is usually higher than that ag assessment. So, basically you're just reducing your exempt portion. We do reduce the assessment but not to the level of what the state promulgates as the assessment for soil group let's say 1B or 3B. So there will be no loss in tax base if the property is in the ag program."

Councilman Kent: "Okay, thank you."

Laverne Tennenberg: "Okay."

Councilman Kent: "So, Sal, there would be no reduction in actual tax dollars received."

Sal Mastropolo: "She said if. Do we know that it's in the ag program?"

Julie Wesnofske: "Yes, it is. I will confirm that it is in the agricultural-- "

Sal Mastropolo: "Okay. So that means that the taxes are not going down."

Councilman Kent: "Well, the assessment is but the tax dollars actually collected will not. The exemption will be reduced."

Sal Mastropolo: "Okay. That's fine. Thank you."

Supervisor Villella: "But you've got to look at the overall picture, Sal, what it does for the future. The more land we preserve, the better we are."

Julie Wesnofske: "If I could just real briefly maybe try and clarify this that this isn't actual numerical values but roughly for example, farmland basically subsidizes all the land that's developed in any given town. For every dollar that a piece of developed property pays, they'll use about \$1.50 worth of services. So they're, you know, creating a deficit in the town. For every dollar of taxes that farmland pays, even though they're not paying as much, they'll only use about \$.50 worth of services. So by preserving land within the town as a whole, you're keeping everyone's taxes lower. Every time a new development goes in somewhere, the services that are required increase everyone's taxes."

Supervisor Villella: "Thank you, Julie. Anyone else like to speak on this public hearing? Yes."

Sylvia Elliott: "Yes, my name is Sylvia Elliott. I'm up on Reeves. In regard to this land, the young lady said it is agricultural? The total piece?"

Supervisor Villella: "Is the total piece agricultural?"

Julie Wesnofske: "Yes, it is."

Sylvia Elliott: "And it will remain that way? All right. That's all I really wanted to know. Thank you."

Supervisor Villella: "Thank you. Anyone else like to speak on this? No. 7:39, we declare the public hearing closed."

Public Hearing closed: 7:39 p.m.

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Public Hearing opened: 7:40 p.m.

Supervisor Villella: "Let the record show the time of 7:40 has arrived. Would you please read the public hearing?"

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York, at 7:10 p.m. on July 6, 1999, to hear all interested persons who wish to be heard regarding the consideration of the purchase of development rights of 33.8 acres of agricultural lands owned by Arthur A. Stakey located on Church Lane, Northville, New York."

Supervisor Villella: "Thank you, Barbara. Julie?"

Julie Wesnofske: "This property is also under consideration for purchase of development rights sale. It's owned by a gentleman named Arthur Stakey and the case here is that he is selling the property to another farmer so the town will actually be going to contract with the contract vendee of the property at this point, not Mr. Stakey.

With Mr. Stakey's full cooperation, the gentleman's name is Mark Zaweski (phonetic) and he has been pursuing this purchase of development rights with the town. It's really an ideal situation. We'll have a sort of simultaneous closing. When Mr. Zaweski acquires the property, he will simultaneously turn over the development rights to the town at the same closing, protecting almost the entire property.

It's currently being farmed in vegetables. Mr. Zaweski plans on putting it into nursery stock. There's an old farmhouse that's in bad

disrepair which he's going to tear down and build his new homestead there. It's about 28 acres or so of the farmland. There's a little bit of woodland on the lower portion of it which we are trying to work out a private deal right now selling development rights on, someone needs Health Department credits and if this all worked out, that portion will be protected as well.

It is 28 acres. The cost is \$8,600 an acre for the development rights, the total cost being \$240,800. And this is also supported by an appraisal that was completed by Patrick Gibbon Assoc. (phonetic) in May. It's located just east-- on the east side of Church Lane in Aquebogue between Church Lane and Tuttle's Lane (phonetic).

And Mr. Zaweski in this case is very anxious to move ahead with this and close on the sale as soon as possible. In this case the New York State Department of Agriculture and Markets grant that I mentioned earlier, that money can be used on this as well. So the state would provide 75% of the funds, the town providing 25% of the funds, about \$60,000 or so."

Supervisor Villella: "Thank you, Julie. Would anyone else like to speak on this public hearing? I heard someone. Okay. No, no-- "

Councilman Kent: "It's a public hearing on farmland acquisition."

Supervisor Villella: "Is that what you want to speak on? Okay. Yes, please, you can step forward. If no one else would like to speak on this public hearing, the time is 7:43. I declare the public hearing closed."

Public Hearing closed: 7:43 p.m.

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Supervisor Villella: "The next one-- Julie, the next one is off?"

Julie Wesnofske: "Yes."

Supervisor Villella: "Okay. All right. We have to republish and repost it? The time of 7:44 has arrived. Would you please read the public hearing?"

Barbara Grattan: "This public hearing that was withdrawn was for the consideration of the purchase of development rights of 34.578 acres of agricultural land owned by Edwin Fishel Tuccio located on the southeast corner of Youngs Avenue and Twomey Avenue in Calverton. That's the one that was withdrawn and will be called again.

Now, I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York at 7:20 p.m. on July 6, 1999, to hear all interested persons who wish to be heard regarding the consideration of a special permit petition of Linda and Jim Slezak to operate a bed and breakfast facility on property located at Herricks Lane, Jamesport."

Supervisor Villedella: "Thanks, Barbara. Anyone like to speak on this public hearing? Do you have something, Adam?"

Adam Grossman: "The Town Clerk and myself just communicated before the meeting began about (inaudible). I recommend that this public hearing unfortunately be withdrawn at this time. They indicated that they did not-- "

(There was some inaudible discussion)

Councilman Kent: "May I just ask a question? Do these people get delivery at their home addresses or do they have post office boxes?"

(Inaudible response)

Councilman Kent: "And where did you mail these?"

(Inaudible response)

Barbara Grattan: (Inaudible)

Councilman Kent: "She mailed them from Jamesport to Jamesport post office boxes. I don't see any-- "

Supervisor Villedella: "I think we should continue. We'll continue with this then. Yes, please."

Linda Slezak: "I'm Linda Slezak and I'm here for a special permit for a bed and breakfast at 733 Herricks Lane in Jamesport."



Supervisor Villella: "Okay, that's fine. That's enough. If no one else would like to speak-- anyone-- tell a little bit more about the project-- the bed and breakfast."

Linda Slezak: "Okay, sure. As far as I know there's only one other bed and breakfast in the Town of Riverhead and that's in Wading River."

Supervisor Villella: "No. We have other-- "

Linda Slezak: "You have others?"

Supervisor Villella: "Osborn and Sound Avenue. We have one on Lincoln Street and we have another one that's coming on Sound Avenue-- another one, the Roe (phonetic) family."

Linda Slezak: "Oh, okay."

Supervisor Villella: "It's starting to finally pick up."

Linda Slezak: "Okay."

Councilman Cardinale: "We incidentally received an application today from Jamesport, Ann Road, for another bed and breakfast."

Linda Slezak: "Really? Okay. Wow. I'll have a lot of competition then."

Supervisor Villella: "No. More-- it will bring more people into the area."

Linda Slezak: "Yes, I know. I know. My plan is to do kind of historic restoration of the house. It's a farm house on farm property that was originally owned by members of the Hallock family and it was built in 1877 and I'm working with the New York State Department of Historic Preservation and I'm trying to get the farm house, you know, back to the way it originally looked. So I'm very excited about the project and I hope it gets approved."

Supervisor Villella: "Thank you. Anyone else like to speak on this public hearing? George?"

George Schmelzer: "Anybody have to get a permit to do this-- why you got this so (inaudible), got to get a permit for everything?"

How about having it for lawyers-- a permit for a lawyer to come into town or a doctor or a dentist? They need permits? Especially lawyers."

Supervisor Villella: "Wait a minute, George. Go ahead, Adam."

Adam Grossman: "George, the answer is in the zoning code. Usually what happens-- "

Supervisor Villella: "He doesn't care about zoning codes."

Adam Grossman: "If there's a particular use-- it lists the permitted uses and the special permit use. The permitted uses, as of right, special permitted uses are only permitted if the Town Board gives their approval."

George Schmelzer: "Well, why-- is special? Get rid of this nonsense. You're changing the building-- the zoning code. You're making it worse instead of better."

Supervisor Villella: "I still have that book you gave me in the office, George's zoning code. So I'll look it up in your book and see how it works out, George."

George Schmelzer: "Yeah, the way you're-- you should make-- especially lawyers, you need a permit to move into town. That would cure a lot of this stuff. Maybe they'd realize how bad this is and then they'd relax on some of the other things, really. Even politicians moving into town should need a special permit. Really. That's all I can tell you now. I'd tell you more but I won't. It wouldn't sound good."

Supervisor Villella: "Okay, George."

George Schmelzer: "Thank you."

Supervisor Villella: "Thank you. Anyone else like to speak on this public hearing? Steve? Can't let George get-- "

Steve Haizlip: "Steve Haizlip of Calverton. I'm like George. It's her property, she wants to do it, she has the money to do it and would like to do it, I say let her do it. And I hope that all these government agencies for "A", "B", "C", and "D" and right on down, alphabet agencies, don't interfere with her."

Supervisor Villella: "All right. Just the safety issues, that's the only thing that should be addressed though. Anyone else like to speak on this? Okay. The time is 7:51. I declare the public hearing closed."

Public Hearing closed: 7:51 p.m.

Linda Slezak: "Thank you for your support."

Supervisor Villella: "Thank you, Linda. We need more of them."

Linda Slezak: "I can only do one."

Supervisor Villella: "That's all right."

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Public Hearing opened: 7:52 p.m.

Supervisor Villella: "The time is 7:52 has arrived. Can you please read the public hearing, Barbara?"

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York at 7:25 p.m. on July 6, 1999, to hear all interested persons who wish to be heard regarding the consideration of a special permit petition of Foxwood Village Corporation to expand a pre-existing, non-conforming mobile home park use onto a contiguous parcel at Middle Road, Calverton."

Supervisor Villella: "Thank you. Allen."

Allen Smith: "Under the George Schmelzer theory of zoning and planning, I qualify in that I was born and brought up here and I am both a lawyer and a politician."

Supervisor Villella: "You fit all categories."

Allen Smith: "So I'm not disqualified under-- sure. My name is Allen Smith. I'm an attorney. I practice law at 737 Roanoke Avenue, Riverhead, New York and I represent the Foxwood Corporation and in particular Mr. Peter Mastropolo, who is the principal of that corporation."

What is before the Board this evening is a special permit hearing conducted pursuant to the special permit definition of the Riverhead Zoning Code and the criteria that is contained therein under Subsection E 4.

Before the Board is an application by Foxwood Corporation as the contract vendee of the unimproved parcel on the southwest corner of Mill Road and Middle Road. It's 42 acres plus, not much more than that, and we propose to build thereon 94 units of housing. The easiest way to describe what is proposed is to refer the Board and/or anyone else who is interested to visit the Foxwood development community as it currently exists. It is the intention of Mr. Mastropolo to expand what you see in the existing Foxwood community onto this parcel to the east.

A few housekeeping items. We have previously submitted to the Board and to the Planning Board videotapes wherein Foxwood was featured on the Wall Street Journal report on CNN. If you have not already seen those tapes, I will point you in that direction. We have also submitted the literature that is given to people who are interested in moving into Foxwood and some brochures on-- by the manufactured housing institute relative to both the cost and quality of manufactured homes.

Additionally, for the record, I would have incorporated by reference a letter that I delivered to the Town Board on June 4 of 1999 wherein I discussed the issue of density as it relates to this particular project. I will summarize parts of that.

I review for the Board's consideration the fact that the residential densities in all of the towns around us range from four units to the acre to 11 units to the acre. I will read a part of the Riverhead Master Plan dated in '73 adopted by the Town Board in '75 and by the Planning Board in '74-- there are, and although there have been numerous studies since then, there has been no change in the Master Plan density outlines which were called out in the 1973 Master Plan. You should note that the GEIS on the preservation of farmland in '87 talked in terms of residential densities from four units to the acre up to 10 units to the acre. In 1973, the Master Plan called out mobile home density zones of seven and five units to the acre. There were two multi-family residential zones with densities of five and 10 units to the acre.

I point out in this letter that there have been amendments to the

Town law which call out the consistency doctrine and that now codifies the idea that what is called out in the Master Plan is by action of law reflected in your ordinance.

I'm going to pass up to you in a moment the Master Plan map as it relates to this particular property and I point out to you that it calls out a high density area and a medium density area and the current density as proposed by Foxwood at two plus units to the acre is compliant with this Master Plan.

On the density issue again, I pointed out in my prior letter that we have now 3,313 acres in the farmlands program as of '96. When you consider also the Grumman facility, the five acre zoning elsewhere in the town, the density issue is fairly well taken care of.

I have previously supplied to this Board a copy of the Sullivan decision which reviews the process that is before the Town Board this evening and was approved by the Appellate Division. I point out again that in 1982 when Mr. Mastropolo and I appeared before the Board the existing Foxwood community was approved and would point out that since 1982 and now, that the things that we said about type and quality of housing that we predicted for this particular area has turned out to be true. In other words, these particular people have a track record providing good, clean senior citizen housing in this community.

I will now quickly run through the criteria that are laid out by the various documents that have been submitted to you.

The first issue is suitability. Certainly by an examination of the existing park and the demand for the units that are in the existing park you can see that this is a suitable site. It has got similar residential development around it. The layout is reasonable. There are some open space areas, there are some wetlands preservation areas. It does not have an adverse impact on the schools. Traffic is not an issue. There is both internal traffic plans and security provided. Offstreet parking is not an issue. It's provided therein. By looking at the site plan you can see that all the stormwater is contained within the site. There is public water available. We have already appeared before the Suffolk County Department of Health and the sanitary systems have been approved. On that particular topic, I would like to point out that the approval brings with it eight pine barrens credits. My client has agreed to do that and so as an added inducement here offsite property will be preserved under the Suffolk County Farmland-- Pine Barrens Preservation. There are no adverse

discharges from this particular use. There are no special concerns about hours of operation. There is a condition. You must be 55 years of age or older. There are no public streets and there is a need for this type of unit within the community as demonstrated by the buildout that has already occurred.

I thank you and as the hearing progresses if there are questions that arise that I can answer, I will do so."

Supervisor Villella: "Thanks, Al. Rolph."

Rolph Kestling: "Rolph Kestling, Wading River, again. At least I'm fast and I get it through easy. As Mr. Smith mentioned, Sullivan, of course, you remember that was about five, six, seven years ago and he applied to expand his mobile home park, and it was denied. There was a lot of public opposition. I kind of find it hard where one Town Board would approve something or consider it when some other people had been denied. I know later on the property was sold, there was a church built on it but remember we've already denied one person. Thank you."

Supervisor Villella: "Anyone else like to speak on this? I see a hand-- yes, please. Barry."

Barry Barth: "My name is Barry Barth. I'm a commercial property owner on Main Street in Riverhead. I'm also a pharmacist. So a lot of the need for this particular type of housing is because of the efforts of the major drug companies who have allowed our people to live longer and enjoy life better. Through the efforts of the Stark family these mobile home parks have become an integral part of our town and the thing that's probably most important to me is the level of commitment by this family in the efforts of the hospital and the Rotary club and various service organizations within this community.

I've always been one who's participated in our town and enjoyed doing so. And you always run into one of the Starks at the various functions and participating on many different levels. They work hard and they give back. And I think one of the things that's going to come out of this project is that it's going to allow the next generation of Starks to be successful and participate in this town and, therefore, I hope that the Town Board looks favorably on this project and it will have a benefit to all of us even those of us who are on Main Street. Thank you."

Supervisor Villella: "Thanks a lot, Barry. Anyone else like to speak on this? Tom?"

Tom Bozza: "I've prepared a couple of notes so that I'm not going to waste any time. My name is Tom Bozza. I live at 1661 Old Country Road which is the address for Glenwood Village. I serve on the executive board of MHOA which is the Manufactured Homeowner's Association as its Vice-President. The question under discussion this evening is the extension of Foxwood Village. From our point of view and after much consideration we find that Foxwood and Glenwood Villages enhance the style of living in Riverhead and in so doing set an example for other manufactured home parks. What Barry just said is absolutely true. In fact, in these parks they also aid in the mental and physical health of senior citizens, particularly World War II veterans.

The villages attract responsible people who shop, pay taxes, and are interested in social issues such as our schools, village improvements, and the welfare of senior citizens. Riverhead keeps on improving every day thanks to the efforts of Town officials such as yourself who listen, evaluate and make intelligent judgments to benefit us all. The renaissance or rebirth of Riverhead has been phenomenal. We build, we clean, we enhance and Foxwood Village is one of the business enterprises that does Riverhead proud. We vigorously support the request for the extension of Foxwood Village.

Now, another couple of points that I'd like before I sit down. First of all, the whole Town is abuzz, everybody wants to become a movie star and I think your article in the Newsday is commendable and it looks like Riverhead is on a march once again.

Secondly, I'd like to make an appeal to some of the people who are not-- were not born here, not to be afraid to get up and speak their pieces. Don't listen to people who say were you born here? Did you go to school here? That's nonsense. You've got something to say, say it. Thank you."

Supervisor Villella: "John."

John Conroy: "John Conroy, Glenwood Village, Riverhead. For George Schmelzer, I am not a native, but we have roots here since the early 17-- 1800's. So I don't think that helps. Yes, we have roots in this town, my family, so that helps part of my appeal with George.

As far as the Town's addressing the request to expand the Village-- Foxwood Village, we know that this has been filed and it's a '94 statement-- 94 units will be established, I understand, or that's the request, which would give you 188 people adding to the economy of the Town of Riverhead. Regardless of a recent erroneous statement, seniors are not a drain on the Town budget. I don't remember who made that statement, but I'm telling you, we are not a drain."

Supervisor Villella: "There was no statement like that. It was taken out of context from some individual."

John Conroy: "All right. I'll accept that, but it was said or taken out of context so let's take it that way. Fine."

Some people we know do take advantage of any program that's established by a government. However, seniors do pay taxes. They have no impact on the school system other than even with the STAR program, they probably will be paying some taxes towards the school. Management removes the snow and we do pay taxes, but management removes the snow from their properties, also takes care of the roadways insofar as fixing, repairs, whatever has to be done. Management also removes all garbage and waste without any problem. It does not cause any more problem to Chief Grattan's police department. You don't have to add any extra men to take care of these 184 people.

So it occurred to me something that should be brought out-- social security, and I don't have all the figures, but currently this Town gets \$4,000,000 from social security. That's \$48,000,000 a year, pretty good business.

So I would like to say one more thing, the property size is a consideration. However, when the fine print is carefully looked at, it can be said and we know it has been done, yes, this can be done. And I would say a vote of approval would be an asset to the Town and I urge you to vote yes.

One other thing. I have an article here from Bob McMillan. I think most of us are acquainted with Bob. I know him for many, many years. This was his article in New York Times of Sunday, May 30th. And the one thing he says the town should-- towns, and he doesn't refer necessarily to Riverhead, he's talking about east end towns where there is a problem-- towns and villages covering laws to permit somewhat greater density in residential construction. This can be achieved without destroying the character of the neighborhood. In



other words, they are-- he is saying, and I agree with him, there are many things I may not agree with but that I agree, you're not causing any problems by doing this and expanding that Foxwood Village. That's all I have to say. Thank you."

Supervisor Villella: "Thanks a lot, John. I think Bobby Goodale and then I'll take-- "

Bobby Goodale: "I'm Bobby Goodale from Riverhead Building Supply and a neighbor of Glenwood Village and I would say the-- in consideration of this proposal, I would urge the Board to keep in mind that no matter how good the plans look or no matter how many promises are made about how it's going to operate, there's only so much any Board can depend upon in the proposals. What they have to do is to make a judgment that this proposal, this plan, will turn out the way that will-- in a manner that will be beneficial to our community.

Fortunately in this case, we have-- as has been said before-- a track record of people who know what they're doing when it comes to this industry. What's going to happen here is what has happened elsewhere in Glenwood and Foxwood Village, mainly a quality operation, brings quality people into town that will make Riverhead a better place to live for them and for the rest of us. And I think it's also been said, all you need to do is to visit what has been done and you'll know what will be done now, five years, 10 years, 20 years from now and you will not be disappointed that you made a mistake in approving a project such as this. This is one of the rare occasions where you can have great assurance that a member of our community in his business will be doing things that will help the community as a whole. Thank you."

Supervisor Villella: "Thanks, Bob."

Roger McCabe: "Good evening. My name is Roger McCabe. Both my wife, Sophie, and I are lifelong residents in the Town of Riverhead. Over two years ago, we decided to sell our home. We researched retirement facilities, condominiums and single family dwelling. Carefully weighing all the information we acquired, we decided to relocate at Foxwood Village and it was a prudent decision for us to make. Maybe some folks are not aware, that Foxwood is an award winning facility of 450 people, most of whom are dealers in the State of New York-- Foxwood won high awards for design and innovative concepts.

Some additional points to consider in both the existing and the proposed expansion are no negative impact on local school district or senior programs. Foxwood is a self-contained and gated and well maintained community with private security and recreation facilities.

So sum up, I feel it would be a fair assessment to say that Foxwood with their 15 years of award winning experience has a reputation to maintain rather than one to establish. As a resident and taxpayer of Riverhead, we urge you to carefully consider all the facts and vote favorably on the expansion of the Foxwood Village expansion program."

Supervisor Villella: "Thank you, Mr. McCabe."

Roger McCabe: "Thank you."

Supervisor Villella: "Anybody else like to speak on this issue? Okay. Oh, George. Sorry, George."

George Schmelzer: "You don't have to be sorry. That's okay. About people not moving here, we overlap the hearings, so I'll overlap it, too. A lot of people come out from the city, they build a house here, buy a lot, and once they get established (inaudible) anybody else around, fills up the school and ruins the farm and all that stuff, that's why I said about people moving in. A lot of them act that way, so that's our problem. Now as far as this mobile home park is, many people who live here their whole life have a big house, cellar, upstairs, they don't want to go down the cellar, they don't want to go upstairs, then can sell the house one time sale, lifetime, no tax, they'd rather move into a mobile home with no cellar, no upstairs, nothing to bother with. Either that or leave the state. This way they can stay in the community, don't have to leave the state, be among their friends and relatives. I think that's the best thing. I don't see why anybody needs a permit to do this anyhow. Here we go again, see. Okay."

Supervisor Villella: "Steve wants to talk."

George Schmelzer: "That's it."

Councilman Kent: "So it's approved under your zoning ordinance, too, right, George?"

George Schmelzer: "Pardon me?"

Councilman Kent: "It's approved in your zoning book?"

George Schmelzer: "I have no zoning book. Want to see it? I've got-- here's my zoning book, a blank piece of paper."

Councilman Kent: "Okay."

George Schmelzer: "Yeah, I don't know about yours because as I say again-- "

Councilman Kent: "I'm sorry I went there-- that's enough."

George Schmelzer: "If you're going to change the zoning code, you've got to make-- "

Supervisor Vilella: "He was only trying to make a joke, George. That's okay. Steve wants to talk. Thank you, George. Steve, your buddy."

George Schmelzer: "I didn't see him, pardon me, Steve."

Supervisor Vilella: "He's right behind you."

George Schmelzer: "Yeah, I didn't look far enough. Okay."

Steve Haizlip: "You're like me, George, you've got a stiff neck, can't turn around. Steve Haizlip of Calverton. I can understand Mr. Barth about senior citizens and getting more of them. My philosophy is and you've heard it before, when someone asks me how are you doing I say I'm up and moving and I'm living better through chemistry. He sells plenty of chemistry for us senior citizens and his profit will be there. So much for the anecdote."

I would like to inquire from Mr. Smith, you know, when you get into these here fancy words which I'm not a lawyer and not even as good advocate as George is, now when you talk about pre-existing and non-conforming mobile home, in my way of thinking you've got pre-existing houses but they don't conform or something? This is what's bothering me. What is this non-conforming word in here?"

Supervisor Vilella: "He's not on trial here, Steve."

Adam Grossman: "Steve, maybe I might be able to help with that."

Steve Haizlip: "The gentleman that just got up says whether you live in here or come in here, you can ask questions. Now I'm speaking and I'm asking a question. Why do I have to get a lot of whiplash about it?"

Supervisor Villella: "No. You're not getting whiplash. It has to pertain to the public hearing."

Steve Haizlip: "Well, it is the public hearing. It's right in here."

Adam Grossman: "I'm just trying to help answer the question. Okay."

Steve Haizlip: "You asked about the pre-existing non-conforming and what role it plays in all of this. The mobile home park-- the Foxwood mobile home park-- "

Steve Haizlip: "Isn't that a modular home? Then that's a misprint in here."

Adam Grossman: "That may be a misprint."

Supervisor Villella: "This is an upgrade."

Adam Grossman: "Yes. But (inaudible) essentially reads a structure either predates the zoning code or it doesn't conform to the town code so this is a proceeding for a special permit for such an application, for an expansion of structures that aren't currently allowed in the (inaudible)."

Steve Haizlip: "Well, thank you, Adam, because I am probably plenty others here didn't understand what that meant and what was going on. Now I understand and, Mr. Smith, go right ahead and do it."

Supervisor Villella: "Anyone else like to speak on this? Everything is-- Henry, yes, Henry."

Henry Pfeiffer: "Henry Pfeiffer, Wading River. The constitution of the United States provides for the people to be taken care of, it's government for, by, of the people. The state of New York constitution reflects this and if the bylaws and the town code of Riverhead does not reflect it specifically, it certainly is implied. And I deeply resent the implication that the senior citizen for whom

there are some thousand-- 7,000 over the age of 50 here in the town of Riverhead, don't pay their own way. Can you tell me in what case the senior citizen does not pay his own way? Does he not pay taxes? Does he not pay the price of gasoline, so much a gallon, the same as you do? Does he not buy a loaf of bread and have to pay for the loaf of bread? Everything along the line and so forth.

Now there are certain goods, certain services that are provided for the senior here that are not provided elsewhere. For example, the nutrition program. Okay. Where does the money come from? The town? Like hell. It comes from the Older Americans Act of 1965 which was enacted when a reform minded national leaders decided that they were not going to have the senior citizens-- the older people, suffer the destitution that the previous generations had suffered. And in consequence there is a structure-- comes down from the federal government through the state, through the county, to the towns whereby the various services for senior citizens are provided and in large measure they are funded.

And I think that what we have to understand here is that one of the reasons for having governments at any echelon of government is to take care of the people and whether or not you realize it, whether it's school children, whether the infirm, the very young, the very old, they should be taken care of by their parental group which is the federal government, the state government, and in this case, the town government. And I think you're going to do it. Thank you."

Supervisor Villella: "Thank you. Anyone else like to speak on this public hearing? Henry, I think it's about 872 senior citizen housing in front of us so we are doing our job for the senior citizens."

Henry Pfeiffer: "(inaudible) I turn my back."

Supervisor Villella: "Anyone else-- no. The time is 8:20. I declare the public hearing closed."

Public Hearing closed: 8:20 p.m.

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Public Hearing opened: 8:23 p.m.

Supervisor Villella: "Okay, the time is 8:23. Let the record

show. Would you please read the public hearing?"

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York at 7:30 p.m. on July 6, 1999 to hear all interested persons who wish to be heard regarding the consideration of a special permit petition of Sunken Pond Estates for the construction of a 192 unit senior citizen condominium complex together with clubhouse and other site amenities on a single and separate 38 acre parcel zoned Residence "RC".

Supervisor Villella: "Thanks, Barbara. Chris?"

Christopher Kelley: "Christopher Kelley, Twomey, Latham, Shea & Kelley, the applicant. I know the Board is familiar with this application so I won't spend a lot of time. As you recall, this is essentially a reapproval of a special permit that was granted in 1996 along with a zone change to RC pursuant to an interpretation by counsel to the Board. The special permit expires, we reapplied this time with a lower density of 192 units as opposed to the 232 units previously approved by this Board. Approval has been recommended by the Planning Board which gave its approval in May.

I have with me tonight the engineer on the project, Tom Wolpert, if you have any questions specifically about the plan. I would ask that the since this is essentially a reapproval, that the prior record-- hearing record be incorporated by reference into this hearing.

I would also ask that the Board when it considers this special permit application and looks favorably upon it, that simultaneously grant site plan approval as well because we've been-- that was submitted back in October before we even ran into the snag with the site plan expiring-- excuse me, the special permit expiring.

So we're happy to answer any questions the Board may have. This will be ownership units, by the way, not rental units, for senior citizens."

Supervisor Villella: "Anyone else like to speak on this public hearing?"

Adolph Densieski: "My name is Adolph Densieski. I live at 408 Middle Road. I hope I'm not shooting in the dark because I haven't

seen the site plan and when 96 was first proposed they were going to be single family residence, one acre piece of land, and now I understand it's going to be three story condominiums and I do qualify as a senior citizen, I'm 65 years old. The hospital now is too small to contain the people who we have here, young or old. The expressway at exit 73 has to expand to Mattituck to the two highways some day soon. That will have to go between Reeves Avenue and Middle Road, right through all of these condominiums that they're building up there. I think they're too dense now and if they put the roadway alongside of my property-- when they first bulldozed that out 12 years ago, my cellar filled and my neighbor's cellar filled and then they went away and we pushed the dirt back so all that farmland couldn't run down in that little pond I don't think anyone knows exists.

If they fill it in, my property slopes way down. They're going to have to-- if they build that roadway level, it's going to really devalue my property. I'm really worried about it. But like I said, I'm shooting in the dark because I haven't seen a site plan, I don't know if the road for sure is going through my-- between me and my neighbor, and I'd like to put it on record that I'm concerned about it now and I'd like to learn more about it.

I just got this notice Friday, it was nailed onto the tree out in front. That's what I know."

Supervisor Villella: "We have an extra site plan, don't we? We'll furnish you with one. Do we have one available anywhere? Do you have one? I know, I realize that. But I want him to have the information too on that. After you can go in there-- "

Councilman Kent: "I believe Mr. Wulpert from Young & Young has one in his hand that he's-- "

Supervisor Villella: "Oh, I'm sorry. Tom, do you have an extra one for the gentleman? Mr. Densieski. Thank you. Anyone else like to speak on this? Steve?"

Steve Haizlip: "Steve Haizlip of Calverton. To me, this is just my opinion, that 192 units on 38 acres is very tight. Now, I learned from the gentleman who just spoke that they are going to be three stories. Now, going back to what-- "

Supervisor Villella: "We really don't-- "

Councilman Kent: "Why don't we find out whether that's the case before you go on from the three stories. Tom, or Chris-- is it going to be-- "

Unidentified: "Two stories."

Supervisor Villella: "Two stories."

Steve Haizlip: "Well, I'm still going to elaborate on what I have in mind. You know, as Henry said, the Older Americans Act which was initiated in 1965 by our Congress and our US government, is to help the senior citizens. There's going to be a lot of senior citizens that would like to move out here and be in the rural country atmosphere and some of them is not going to be able to climb the steps that they have. Now, in my case, my wife would never be able to go upstairs in a two story condominium because of her heart valve. Now, I don't know if they're making provisions for this if people want to come in that they don't have any other accommodation but the second floor and they can't turn them away if they're able to pay but there's got to be some kind of accommodation to get them on that second floor. So I'd like to see that some kind of elevator is going to be put in there to help these people out. Because a lot of them is going to need help to get up there. And, George and I are getting there close now."

Supervisor Villella: "Would anyone else like to read-- read, I'm all right-- I'm reading here-- talk on this public hearing? I see any other hands? No. Okay. The time is 8:30. I declare the public hearing closed."

Public Hearing closed: 8:30 p.m.

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Public Hearing opened: 8:31 p.m.

Supervisor Villella: "Let the time show 8:31 has arrived. Can you please read the public hearing?"

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York at 7:35 p.m. on July 6, 1999, to hear all interested persons who wish to be heard regarding the consideration of a special permit petition of Edward Broidy for the construction of a sports/recreation



complex on a single and separate 13.9 acre parcel zoned Industrial "A".

Supervisor Villella: "Thank you, Barbara."

Edward Broidy: "Good evening, Board. My name is Edward Broidy. And I'm requesting to have a special permit for a sports complex located on Edward Avenue. Basically, it's a reapproval-- the fact that I did have a permit and I was unable to perform at the time because of technicalities with the Board of Health and so forth. At this time, I have-- and my permit ran out, so I reapplied and I would like to have a new permit for an extension of three years to do this project."

It's exactly as it was before, the same site plan, the same building structure, and nothing has changed. The Planning Board had reviewed this and they determined that-- they made a recommendation to the Town Board for the approval. And I'm here tonight requesting such."

Supervisor Villella: "Thank you, Ed. Would anyone else like to speak on this public hearing? Steve?"

Steve Haizlip: "Steve Haizlip of Calverton. And on Edwards Avenue. As a matter of fact, 199. I am speaking here tonight for myself, Kenny Tuttle (phonetic), and Joseph (inaudible). We have lived in this area 42 years for myself; Mr. Tuttle, 52 years; Mr. (inaudible) 40 years. We have lived there peaceful. We've had no problems."

At the original hearing for Mr. Broidy, Mr. Tuttle-- Kenny Tuttle, asked for the sake of his father, which is very ill, that there would be 100 foot buffer zone and he agreed to it at the time from according-- the information that Mr. Tuttle has given me to speak about tonight.

I don't think that we're concerned and be against his proposal. I brought it up at the original hearing and I'm going to bring it up at this hearing. He had his young people come there and they conduct themselves as a citizen, orderly and mannerly, they're not going to be any problem. But if any of those young fellows or people get overspill from his property and come into our property and start messing around, we're going to take appropriate action."

Supervisor Villella: "Thanks, Steve. Would you like to answer that, Ed?"

Edward Broidy: "I would like to elaborate on his request. We have-- I've taken it into consideration the previous time and I also have taken it into consideration this time. We want to be good neighbors and I'm sure that if he had an opportunity to look at the plans and what we've done, we-- when he had suggested it, we agreed to it, and we haven't changed it. So we're going to be good neighbors. Thank you."

Supervisor Villella: "Anyone else like to speak on this public hearing? If not, the time is 8:35. I declare the public hearing closed."

Public Hearing closed: 8:35 p.m.

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Supervisor Villella: "We are going to go into public comment on any resolutions. Rolph."

Rolph Kestling: "Rolph Kestling, Wading River. This time everybody cleaned out, it was easier to get up here. On Resolution 631, authorizing Town Engineer to demolish a house at 143 Cliff Road, Wading River. I see that-- "

Supervisor Villella: "West-- where's West?"

Rolph Kestling: "Yeah, that's it. Now, you-- no bids were received when you advertised that house at 143 Cliff Road. How can you get bids on something nobody can find? I mean nobody can-- cars were going up and down Cliff Road on-- you know, up by where we live and they're going up and down. They're looking for 143 and no 143. Now how are you going to authorize somebody to rip down a house on 143? I think you better to this all over again next time. Get it right."

Supervisor Villella: "The resolution-- this is the third or fourth time we left out the word "West". It's very embarrassing so whoever-- could we make sure that it's fixed in the computer, on the disk, wherever it is, make sure it's done right? Thank you, Rolph. You're absolutely right."

(Some discussion among Town Board members)

Supervisor Villella: "Adam, do you want to let them know that 614 is changed? It's not authorize the Supervisor-- "

Councilman Kent: "We pulled the engineering study-- Calverton Sewer District?"

Councilman Kwasna: "No. Look on your list."

Supervisor Villella: "No, the one that's on the list is wrong. 614 should be this one."

Adam Grossman: "Okay, just so the people that are here tonight who have taken a look at the list of resolutions. Resolution 614 authorizes the Supervisor to execute lease between Riverhead (inaudible) and the Town of Riverhead. This resolution, I'm going to recommend be withdrawn-- "

Councilman Kwasna: "We don't even have it."

Adam Grossman: "The first being the lease isn't attached and, secondly, there is an issue that I have to resolve in my office before we can authorize the Supervisor to execute such a lease."

Councilman Kwasna: "But another resolution was put in its place."

Supervisor Villella: "Yeah, Resolution 614 authorizing engineering study at Calverton Sewer District."

Adam Grossman: "I don't have it in my packet."

Supervisor Villella: "We have one. This is it."

Councilman Kent: "614 authorizes an engineering study at Calverton Sewer District."

Councilman Kwasna: "I guess we can bring somebody up, Vinny. People have their hands up."

Supervisor Villella: "Okay, yes, please."

Councilman Cardinale: "I think the Town Clerk wanted to make a

statement on the substitute 614 resolution for those of you who are following this."

Barbara Grattan: "Resolution now 614 which has been replaced is going to be authorizing an engineering study for the Calverton Sewer District. That's the new resolution 614."

Supervisor Villella: "Thanks, Barbara. Go ahead."

Joan Griffing: "Good evening. My name is Joan Griffing from Baiting Hollow. I'd like to submit some petitions into the Council."

Supervisor Villella: "Is that on tonight for resolution?"

Councilman Kent: "Yes, I thought you said you were (inaudible). You are talking about the Island Water Park?"

Joan Griffing: "Yes. Okay, in your handout you have for tonight's meeting it says five petitions opposing with a total of 200 signatures. Last week I brought in 64, I don't know if that was counted in. I have 172 more to submit to you. I'd like to do that now, please."

Supervisor Villella: "Okay, thank you. Any other-- yes, Susie?"

Susie Kurovics: "Hello, members of the Board. I'm Susie Kurovics, President of RSVP, Inc. It's been a while since I've been here. I'm here to speak about Resolution 584, the resignation of the animal control officer. I'm just curious as to find out now where does that leave the pound. I know you have a weekend dog warden, I guess he's under consideration for full time. And I guess you'll be calling for civil service list."

Supervisor Villella: "List. Yes, I think-- I don't know if the Captain or the Chief are here but they're in charge of that. The Chief is back there."

Susie Kurovics: "Okay, because I was wondering when you hire a dog control officer, is there a background check on, you know, besides the applications an actual-- "

Supervisor Villella: "There should be."

Susie Kurovics: "Is there?"

Supervisor Villella: "The Captain or the Chief."

Susie Kurovics: "Okay. I was just curious because being as how they have to deal with the companion animals of this town, I would like to know that they care about companion animals. I'm sure all the residents of Riverhead would like to feel comfortable that there was (inaudible) there and I was just wondering how things are going at the pound. Is there a puppy room? Did that ever materialize? I know there was talk of it in the paper. There was a fund raiser."

Supervisor Villella: "Well, is this on the public-- "

Councilman Kent: "No, we're accepting the resignation, that's really not-- "

Susie Kurovics: "Oh, I see, okay, so you don't want to discuss that. All right. I guess I'll have to get up at another time."

Supervisor Villella: "No, after public comment you can, Susan. You can do it later on tonight."

Susie Kurovics: "Oh, okay."

Supervisor Villella: "It's just that it has to be on resolutions now that we're talking about."

Susie Kurovics: "Okay. I guess I was just wondering the timeframe of hiring a full time dog warden."

Supervisor Villella: "Well, you can get in touch with Captain Hegermiller and Chief Grattan and they'll explain everything to you, the process."

Susie Kurovics: "Okay."

Supervisor Villella: "It has nothing to do with us. We just vote on it to accept him."

Susie Kurovics: "All right. So it's from the recommendation of the police department then."

Supervisor Villella: "Yes."

Susie Kurovics: "And that's-- you just agree to it."

Supervisor Villella: "Right. Exactly."

Susie Kurovics: "No input from the Town Board?"

Supervisor Villella: "They're the professionals that would know, like you said, to look up the person and do a check and everything."

Susie Kurovics: "Okay, all right, thank you very much."

Supervisor Villella: "Anyone else? Sal?"

Sal Mastropolo: "Sal Mastropolo, Calverton. Vinny, Resolution 586, 587, and 628 talk to summer hires and what's funny is 586 is ratifies appointment of a lifeguard to the Riverhead Recreation Department at \$7.00 an hour. It doesn't say it on here but I read it in the book earlier. Now a lifeguard is a certified-- I mean you've got to take a test and pass a test and people's lives are in a lifeguard's hands and they're getting \$7.00 an hour. Yet, 587 is a summer recreation aide at \$8.00 an hour and 628 is a fill in beach attendant at \$7.50 an hour. It sounds like something is wrong in that pricing structure when we pay a lifeguard less than we pay a summer-- a fill in beach attendant and a summer recreation aide."

Councilman Kwasna: "Sal, I think what it is it depends on how long they've been working for us. If they've worked past summers for us, as they come back each year, their pay increases. Is that correct, Jack?"

Councilman Kent: "A lifeguard is an entry level."

Supervisor Villella: "Beginning level."

Sal Mastropolo: "So the fact that they have to be certified and pass a test-- "

Councilman Cardinale: "We're agreeing with you. The opening round for the beach attendant is \$5.50 or \$6.00 and for the lifeguard \$7.00. So they do get paid more but what happens is if a kid comes back three or four years and he winds up making \$7.50 but you're right."

Supervisor Villella: "What you're saying it makes sense."

Councilman Cardinale: "Exactly what you're saying is, in fact, happening."

Sal Mastropolo: "Okay, thank you."

Councilman Cardinale: "Lifeguards do get paid \$10.00 or \$11.00 if they stay long enough."

Supervisor Villella: "Steve?"

Steve Haizlip: "Steve Haizlip of Calverton. Resolution 637, 225 Pulaski Street demolition capital project budget adjustment. What's the matter here? Can't get the owner to bring up the money and tear this building down and we've got to scrounge around and get money from somewhere else to tear it down? Is that about the size of it?"

Councilman Cardinale: "You know, when we tear it down we don't pay for it. The owner pays for it by it going on his tax bill. So we're not going to-- we're going to do it but then we're going to be recompensed for doing it and you are correct in this and other instances, they don't do it so the town has one option. Either do it themselves or put up with what you see."

Steve Haizlip: "Very good explanation, Mr. Cardinale. Thank you."

Councilman Cardinale: "Thank you."

Supervisor Villella: "Yes, sir?"

Tony Mancuso: "My name is Tony Mancuso. I live in Baiting Hollow. I'm a newcomer here, I've only been here 10 years but my son was born here and he goes to the Riverhead schools so I think he qualifies and I'm speaking on his behalf."

With regards to the Island Water Park, I cannot understand how they intend to put in a park in that area the way Youngs Avenue is constructed with the hills and the narrow road and the farmland that's right by there. In addition, I don't understand with regards to the sound level that this water park will generate with regards to the local neighborhood that's right over there and the number of children that are in there that may be disturbed by this.

My question to the Board is, has there been any environmental impact studies performed for this park prior to agreeing to possibly go ahead with this?"

Councilman Kent: "There's been no environmental impact statement prepared because none was asked for until just recently. We have now asked the applicant to prepare an environmental impact statement. They ask us in return to table the decision so that they can prepare an environmental impact statement. That's the stage we're at right now. There are two resolutions before us, one approves and one denies. I don't know if either one will be voted on tonight. They might both be voted on. Neither one might be voted on. But the applicant-- we requested an environmental impact statement from the applicant and they now want some time to prepare that."

Tony Mancuso: "And we would have the option to review that before they proceed, am I correct?"

Councilman Kent: "Yes, we would. That's the way it works. We would have the option to review it before we make any decision."

Tony Mancuso: "Very good. Thank you very much."

Supervisor Villella: "Anyone else like to speak on the resolutions? Jim. Not you, Bill-- Bill, I'll get you next."

Jim Flood: "Jim Flood, Aquebogue. I just have a real quick one, Vinny and it's on the abandoned vehicle ordinance that you're proposing this evening. And I applaud the town on adopting this law except under storage restrictions I just have one problem and that's because on the exemptions it's for motor homes, boat trailers and-- otherwise stored in compliance with the ordinance and the laws. People have motor homes on their property. I can certainly understand that, seniors-- you know, they take trips, you know and they're gone for six months out of the year. My problem is a motor home that's been unregistered for seven or eight years. I just happen to have one next door. The guy drove it on his property seven years ago, took the plates off of it and that's the last time it's moved. It's about 30 feet long and it's just covered with weeds and I, you know, I believe that as long as it's registered for part of the year, then that would be just fine, or if it's in use. But if it's not in use and it's unregistered completely and it hasn't been used for, you know, a long period of time, I think that we should not allow that and that's the only thing I have. So I would hope that before you adopt this law-- "



Supervisor Villella: "We're going to table it tonight then, Jim, and then we'll put some more information into it."

Jim Flood: "That's the only thing-- boat trailers, you know, if a guy hauls his boat once a year, you know, he has it registered so I don't think boat trailers are a problem. The only thing is is the motor homes and I don't think you're going to find too many of them out of compliance. It just so happens I have a next door neighbor that has one."

Supervisor Villella: "As a matter of fact, I think 597 and 598-- both of them are going to be pulled tonight."

Councilman Kent: "Tabled, right."

Supervisor Villella: "Tabled, excuse me."

Jim Flood: "How come the theater thing was pulled tonight. I didn't hear that before."

Supervisor Villella: "We never-- it wasn't even supposed to be on there."

Councilman Kent: "It wasn't supposed to be on. We don't have the lease yet."

Jim Flood: "Okay, thank you very much."

Supervisor Villella: "Anyone-- Bill."

William Kasperovich: "William Kasperovich from Wading River. I'm surprised that by this time I have so many resolutions to comment on that I have to wonder whether you people go through them and actually pay attention to what goes into print. Now, there are a couple of real serious matters, some is just a matter of words but-- "

Councilman Kent: "Which number do you want to start with?"

William Kasperovich: "That's what I was wondering. Where to start with."

Councilman Kent: "Start at the beginning."

William Kasperovich: "Someplace here you were giving Swezey

some good faith somewhere. Let's see-- "

Supervisor Villella: "Yeah, that was for the-- what was that?"

Councilman Cardinale: "625, Bill."

Councilman Kent: "You're starting at the end. Good. Release of the good faith deposit. Is this-- "

Councilman Cardinale: "You know, since we screwed up so many of these according to what you've said and since we only have about five minutes for each speaker, you should probably speak really fast. Because you said you had a lot of them. So on 625 could you tell us what the specific problem is?"

William Kasperovich: "The specific problem is that the resolution is prepared by somebody who doesn't know what he is writing about insofar as what the definition of demolition is on the building construction project. Not knowing what constitutes demolition and to what extent, where you draw the line demolition is completed and new construction starts or demolition is extended to reach for information on preparing the new structural drawings-- "

Councilman Cardinale: "Sharon Kloss is the best and only we've got. She's the one that does all our commercial permit work and if she doesn't know what she's doing, we're in big trouble because she's the one that does it. Why do you think that she doesn't know that the bond should be released for ensuring completion and securing of site demolition?"

William Kasperovich: "The demolition is not fully completed."

Councilman Cardinale: "Could you tell us how that it is not complete?"

William Kasperovich: "Do you want me to take the time to tell you engineering-wise what I see that has not been done that falls under the category of demolition?"

Councilman Cardinale: "Sure, because she says it's complete and you say it's not."

William Kasperovich: "Well, then she doesn't know what she's talking about."

Councilman Cardinale: "Or you don't. There's another option, so-- "

Supervisor Villella: "Wait a minute. All right. Relax, relax."

William Kasperovich: "I will match with her any place, any time, anywhere."

Councilman Cardinale: "Just explain why you believe it is not complete, please."

Supervisor Villella: "Do you want us to set up a meeting with Sharon and yourself?"

William Kasperovich: "No. You have a consulting engineer on the payroll, send him down. He made a study of this structure. You have a professional man sitting in a basement and giving him work to tear down old shacks and here is something on Main Street that you leave him on the sidelines."

I refer to Resolution 630-- "

Supervisor Villella: "Adam, do you know anything about-- Rick, do you know anything about this-- Leroy, can you explain this, please? The \$10,000 that we're giving back to Swezey for the site plan demolition? Not site plan-- for the demolition permit. Bill, excuse me. I just want Leroy-- clarifying that."

Leroy Barnes: "Basically, what we did was we recommended to the Town Attorney that he release the \$10,000 bond. The work is completed and we're satisfied with the work. You have to remember that the foundation that's been left there is going to be utilized for the new construction."

Adam Grossman: "My office relies on the Building Department's statement."

Councilman Kent: "Expertise, right."

Leroy Barnes: "I mean the property is secured. The foundations are secured, nobody is getting into the demolished area, so I don't know what the problem is."

Supervisor Villella: "Thank you, Leroy."

Councilman Kent: "Bill, did you say 630 was the next resolution you wanted-- "

Supervisor Villella: "630?"

William Kasperovich: "On 627 and 630-- "

Supervisor Villella: "627?"

Councilman Kent: "Joann Marshall to the Anti Bias Task Force."

Supervisor Villella: "Yes. What would you like to know?"

William Kasperovich: "I'd like to know with three attorneys on the podium, how come we allow words like "suggested" and like "would be a good addition"? What constitutes "good" and by whose standards is good?"

Supervisor Villella: "It was from the committee. Bill, it was from the committee themselves. These are their words. They wrote this."

William Kasperovich: "Well, it should be so stated."

Supervisor Villella: "Stated?"

William Kasperovich: "It should be so stated. The word "good" can mean most anything."

Supervisor Villella: "It's been suggested."

William Kasperovich: "And suggested-- "

Councilman Kent: "By the Anti Bias Task Force. We'll amend it."

William Kasperovich: "This has no strength or weight whatsoever."

Councilman Kent: "Okay, we'll fix that. I will move to amend; I'll add some words."

Supervisor Villella: "All right. You are going to amend that then when the time comes up?"

Councilman Kent: "When the time comes. All right. What's the next one? Same point on the next one? Suggested by whom? Okay. It was by the Conservation Advisory Council. That's even my resolution. I'll move to amend that."

William Kasperovich: "Resolution 618-- "

Councilman Cardinale: "619."

Supervisor Villella: "618."

Councilman Cardinale: "I was hoping we were getting to the end."

William Kasperovich: "We're working forwards."

Supervisor Villella: "We're working forward."

Councilman Cardinale: "We're working forward? This is trouble. I should warn you out there, we started with 578 and we're at 618."

Councilman Kent: "This is the release of the performance bond for Greater Lakeside."

Supervisor Villella: "Yeah, it should be \$7,515. It's written \$4,500-- see, now therefore, be it resolved-- "

Councilman Kent: "Yeah, it's correct up in the Whereas, but it's incorrect in the Resolve."

Supervisor Villella: "Exactly."

Councilman Kent: "And it's two different numbers."

Councilman Lull: "7510 instead of 7515."

Councilman Kent: "Well, we're not sure."

Councilman Cardinale: "Well, one of them is wrong."

Councilman Kent: "But also it says \$4,000-- "

Supervisor Villella: "\$4,000 is definitely wrong."

Councilman Cardinale: "Give them \$7,510, they'll take it."

Councilman Kent: "I think we're trying to trick them there."

Supervisor Villella: "Okay, we fixed that one, Bill."

Councilman Kent: "Well, Leroy, there's an error on this resolution. We don't know the amount to release back."

Supervisor Villella: "\$7,010-- 510. No, that's on the bottom. The first one is \$7,510."

Councilman Cardinale: "7510."

Councilman Kent: "Okay, so I'll amend that. That's my resolution. Another one, Bill?"

William Kasperovich: "On 610-- "

Supervisor Villella: "The Town Clerk to post and publish notice to bidders for building materials."

Councilman Kent: "What's wrong with this one?"

William Kasperovich: "What constitutes building materials?"

Councilman Kent: "You have to pick up the pack at the Town Clerk's Office between the hours of 8:30 a.m. and 4:30 p.m. to learn of the specifications that we're looking for."

William Kasperovich: "All right."

Supervisor Villella: "The people who put the bids in."

William Kasperovich: "While you're so knowledgeable about that, who within the Town Hall looks over the material delivered that it meets the required specifications?"

Councilman Kent: "I believe the Town Engineer does this."

William Kasperovich: "I have pointed out to the Town Supervisor on more than one occasion that we have accepted materials that not

only don't meet specifications but are inferior quality."

Supervisor Villella: "Are you talking about the airconditioning? It was a burnt out wire today. That's what we were talking about today."

Councilman Cardinale: "Apparently it's still burnt out."

Supervisor Villella: "Actually it's working."

William Kasperovich: "On Resolution 606, 607-- "

Councilman Kent: "Okay, let's keep moving on this."

William Kasperovich: "In the third Whereas, you refer to-- "

Supervisor Villella: "You've got-- do a couple more, Bill, then we-- "

William Kasperovich: "You refer to in the third Resolution-- in the third Whereas, the project engineer. Now where-- that no doubt refers to a particular individual and if this is to be a bona fide resolution his name should be spelled out otherwise five years from now you look up this resolution and there's no way to know who that individual was. 606 and 607-- "

Supervisor Villella: "That's H2M."

Councilman Kent: "Okay, we'll amend those."

William Kasperovich: "On 605, I don't understand what we are accomplishing in a third party sublicense agreement."

Supervisor Villella: "For the Master Plan. We need the help of the county, the state."

William Kasperovich: "I think that-- I am concerned with that over the years in several locations within the township I found the tax map to be incorrect. Granted I pointed this out to the proper authorities and people and they said they will eventually get around to it when they change those particular pages. They don't change a page just on one item. They carry it over a number of years and so if and how we use the tax map and the geographic information, I can't seem to put my finger on how we have it which is up as the information

is to date. Not what has been printed but what is to date."

Supervisor Villella: "Thank you, Bill. There are quite a few amendments that we're making to the resolutions that you brought up. Do you still have more?"

William Kasperovich: "I-- "

Supervisor Villella: "We have to give some other people a chance, too, Bill. You can come back later if you don't mind."

William Kasperovich: "I don't even want to be here at this time. I'm-- as you notice, I don't have my tape recorder and so what I say I'm setting in concrete. Now-- "

Councilman Kent: "I hope it's properly poured concrete."

William Kasperovich: "If you had Kasperovich in charge you could guarantee that."

Supervisor Villella: "I'm still saying we've got to find him a job guys. How about it? He's a good engineer. Part time job; he would do good. No one listens."

William Kasperovich: "On 597-- "

Supervisor Villella: "Which one was that, Bill?"

Councilman Kent: "597."

William Kasperovich: "597."

Supervisor Villella: "Okay, that's tabled."

William Kasperovich: "Tabled?"

Supervisor Villella: "Yes. And 98 also."

William Kasperovich: "Like the German's sale of (inaudible) because I don't want to be hollering wolf on what would just be technicalities of a proper resolution but at the same time you people don't leave anybody an easy way to research out what is going to be put down in print. I come into this state-- mental state, when I sit here over several hours of public hearings and there was not one piece



of paper, graphic, map, statistics, what resolution-- past information posted up in the hallway. They talk about site plans, they talk about all kinds of paperwork but nobody has the opportunity to get acquainted with what's being spoken of by reviewing the presented documents by the developer."

Councilman Cardinale: "Is this on a resolution, Bill?"

William Kasperovich: "No, it's not."

Councilman Cardinale: "Okay, well, I think-- I have a feeling we'll be hearing from you again this evening."

Supervisor Villella: "Wait a minute."

William Kasperovich: "No, I don't-- "

Supervisor Villella: "Wait a minute. What he has to say is absolutely correct and I'm getting a little ticked off about it, too, because it should be on that wall outside."

Councilman Cardinale: "Right."

Supervisor Villella: "How can we get this-- Barbara, when you do the public hearings, if you see that something has something to do with a site plan or something, we have to get the site plan and put it out on the wall outside because he is absolutely correct. How can people know about the public hearing if they don't know what we're talking about?"

Councilman Cardinale: "I would point out that on the first three public hearings we had something on the easel which was a picture of the piece that we're talking about."

Supervisor Villella: "No, he wants it outside before so people could look at it. He wants it posted. We've talked about this. And we did it a few times and then it stopped all of a sudden. So I would like to have-- I want to make sure this is done."

Councilman Kent: "Actually, I'd like (inaudible)."

Supervisor Villella: "Is Rick available here? Rick, is there any way that we can have a process-- no, you don't have to get up. I just want to ask you something. Is there a process that we could get

all the site plans for public hearings outside on the wall? Can we-- what's the mechanism to let you know to do that-- you have all the site plans. Can Barbara get a hold of you? Well, she writes up the public hearings, that's what I'm saying."

Rick Hanley: "There's no provision for a public hearing on site plans in particular but I think what you're-- "

Councilman Kent: "Special permits-- "

Rick Hanley: "-- what you're getting after is a way in which the public can inspect a site plan on the night-- "

Supervisor Villella: "I don't want them thinking that we're hiding something. I want it out there."

Rick Hanley: "Well, I think it's pretty simple. We could institute a policy such that when we talk about a site plan resolution at a work session, that we have that site plan posted on the wall the night of the meeting in which that site plan would be considered."

Supervisor Villella: "We always say yes, we're going to do it but-- "

Rick Hanley: "When I say considered, I don't mean considered where there's public input, but-- "

Supervisor Villella: "No."

Rick Hanley: "The night that the resolution is being passed by the Town Board or considered by the Town Board."

Supervisor Villella: "We've done it for a few times and then it stopped. So I would like to continue doing it the right way. I don't know what the mechanism is going to be but maybe between you and Barbara we could work out something. Because she knows when the public hearings are; you don't, Rick."

Rick Hanley: "Are you suggesting-- there's a thought that the Town Board is considering holding public hearings on site plans?"

Supervisor Villella: "No, no, no. Rick, that's not it."

Councilman Kent: "Tonight like on the special permit

applications of Foxwood, whatever type of maps we have-- "

Supervisor Villella: "Just to let people know what's going on, that's all. They could look at. They have no input on the site plan, just to let them know."

Councilman Cardinale: "You've been here longer-- a lot longer than I, a year and a half we've heard from Bill. Every single public hearing we have on anything, you know how we had seven tonight?"

Rick Hanley: "Yes."

Councilman Cardinale: "Put something on the wall, please."

Rick Hanley: "Okay."

Councilman Cardinale: "Something on the wall, for every single public hearing. Because he makes the same comment on every single public hearing-- "

Supervisor Villella: "And he's right."

Councilman Cardinale: "And that would preclude at least that comment."

Councilman Lull: "Phil, we have tried in the past and one thing we have done is we have put the responsibility on the applicant. Tell them, you want to do it? Put it out in the hall, make sure everybody can look at it."

Councilman Cardinale: "That's a good idea."

Rick Hanley: "And then if we have text changes, I assume they're posted in the Clerk's Office, aren't they? Is that enough? That's okay. You're talking about the more graphic depictions of maps and-- "

Councilman Kent: "Yes."

Rick Hanley: "Okay."

Supervisor Villella: "We want to educate the people with that so they know what's going on."

Rick Hanley: "Okay."

Art Binder: "Art Binder, Calverton. Regarding this issue about site plans. If you leave it up to the applicant to put a site plan on the wall outside, there will never be a site plan on that wall outside."

Councilman Kent: "And we'll never vote for it if you make it a requirement."

Councilman Lull: "There won't be a public hearing without it."

Councilman Kent: "If we make it a requirement of posting-- "

Art Binder: "That's a different story."

Councilman Kent: "Right."

Art Binder: "If it's a requirement prior to any kind of a vote, that could work."

Supervisor Villella: "We can refuse the public hearing on it."

Art Binder: "Okay. I'd also like to address the Island Water Park. There was a newspaper article last Thursday in News Review which outlined the Island Water Park's proposal for the Town of Riverhead. There were a couple of things in there that were somewhat vague and I'd just like to clarify those couple of things.

The word embankment was used throughout the article. The word embankment is a term used in third world countries for urban dams. That's right. Urban dams. They're used in India, they're used in Pakistan, they're used in lots of places around the world. A dam in this country is a concrete structure. If you will for one second just envision a speedboat going along at 45, 50 miles an hour from zero to 50 real quick because-- skis-- breaking a steering cable, losing control, hitting the urban embankment. Now we have a situation which could lead to a breach even if the breach is one foot wide, with 38,000,000 gallons of water behind it, that's not going to stay one foot wide very long.

We have a dam that is 68.9 feet high water level. The adjoining property, some of which is at 32 to 34 feet above mean sea level. That means if you look at the dam from the adjoining property, you are

looking at something approximately 10 feet higher than a telephone pole. Now if this breaks, we have a serious problem.

In addition to that-- we have a tidal wave-- their own assessment form, the last one that was made, 1999, stated something to the effect that the floodplain would be approximately 36 acres. That's 36 acres under water up to 13 feet deep. That's pretty serious. I don't think anybody in this room would consider buying a one acre lot and building a house with this thing anywhere in the vicinity. I don't even think the Town should allow it. I do think that there could be consequences if this thing ever was passed and something did happen, a catastrophic event. And the litigation involved would be justified. And you couldn't blame-- if somebody was foolish enough to buy land there and build on it and then get washed away or filled or whatever, there'd be hell to pay to say the least.

I do hope that the Board with all their wisdom considers all of the liabilities involved in this in addition to the fact that a licensed real appraiser has notified us in writing that land values in the area-- that's the Manors, that could be (inaudible), it could be Deep Hole Road, the entire area, would be severely diminished, the assessed value of these properties. If the Board were to pass this, I would request that the Assessor's Office reassess all of these properties that are affected within an "x" amount of radius of this project and pass new assessments decreasing it and obviously lowering the tax structure for everybody in the affected area. Thank you."

Supervisor Villella: "Thanks, Art, and I know you don't want the reassessment anyway. Anyone else like to speak on this? Yes. Speak on the resolutions. All right. I'm going to be bringing-- I don't know if I have enough votes tonight, but I'm bringing it on the table-- I want to take it off the table and vote for it tonight on Island Water Park. Is that all right, guys?"

John Griffing: "John Griffing from Baiting Hollow. Tonight Joan Griffing handed in I believe another 173 names. I just want the Town Board to realize that I personally handed out three additional petitions that I know had one signature. Those three petitions disappeared from the places that they were put. The people who had them, one guy forgot it three days in a row. But I tell you, I won't go in to buy a sandwich from him because I'll walk out and there will be no meat on the bread. Okay. He's forgotten to put the meat on the bread."

Supervisor Villella: "I think he was told not to put them in there."

John Griffing: "He did not return the-- he did not return them. In my opinion, there is 600 possible names on those forms that have not been turned in to this Board. Please consider that when you are thinking about it."

Supervisor Villella: "Thanks, John. Anyone else like to speak on the resolutions? If not, we are-- Bill?"

William Kasperovich: "This Island Park, is there going to be a resolution tonight?"

Supervisor Villella: "I plan on-- well, I want to take it off the table, Bill, and vote on it. Speak, speak."

William Kasperovich: "William Kasperovich, from Wading River. The documents that I was privy to see and the people that I've talked with, nowhere, no how, was there any detail as to the construction of the earth embankments or the construction of a dam. There were no structural details to describe what is proposed. This serious omission indicates that the developer is not submitting papers in good faith. Thank you."

Supervisor Villella: "Thanks, Bill. Bill? Good point, Bill. I've got the other Bill that wants to speak."

Bill Anderson: "Bill Anderson, Deep Hole Road. Another thing-- I won't address the points that have already been addressed. There's been-- in the environmental assessment form that they submitted and in the plans, I've seen no mention whatsoever of compaction standards. Compaction standards would have to exceed that of the Long Island Expressway for an earthen impoundment. Very important. I see no mention of compaction. If you have compaction that's going to occur on a state road or a federal road where you would have stringent standards, you would have to inspect everyone's foundation and inspect their sheetrock or plaster, whatever they have. And then that agency, the lead agency, would also be responsible for that. I mean the compaction for an earthen impoundment is very critical. I see no mention of that."

We have houses that have stone and mortar foundations where people have lived on this street for in excess of 50 years. Some of

these residents physically have made their own foundations. Compaction has not been addressed at all and it's a very important part. When the Expressway was built, they literally shook houses off their foundations when the process of the Expressway was built. This is not something for me to address the Town Board; this is for engineers and, you know, it's just one more thing on top of a giant pile of problems. But, you know, thank you very much."

Supervisor Villella: "Thanks, Bill. Marilyn."

Marilyn Binder: "Marilyn Binder, Deep Hole Road in Calverton. It's a private water park. Most people think this is another Splish Splash for the entire neighborhood."

Supervisor Villella: "I know-- you're right. I get calls for that--"

Marilyn Binder: "I just want to make sure everybody understands, wherever I go, people say it's not for my grandchildren? No. It's a private water park, or club for 77 members."

Supervisor Villella: "Marilyn, you have to address us."

Marilyn Binder: "Now, all night long we've been hearing seniors, seniors, seniors. Well, who's this for? The seniors? I don't think so. It's a private club. Let's get that on record. It's a private club. So that all my friends in the library won't say to me, we never heard it on TV. It's a private club and I hope the people on the Board realize this is not for the community. If you are for the people-- "

Supervisor Villella: "You're right, Marilyn."

Marilyn Binder: "-- the people."

Supervisor Villella: "I got plenty of phone calls. I've got people stopping me on the street, how can you be against a water park like Splish Splash."

Marilyn Binder: "Exactly."

Supervisor Villella: "I'm telling them it's not-- "

Marilyn Binder: "Absolutely, I think Splish Splash has been

wonderful for the community. They've been wonderful neighbors."

Supervisor Villella: "Very good for the community."

Marilyn Binder: "And I live right near it. But this we really have to consider. And I think the gentlemen on the Board have to consider the people in the community."

Supervisor Villella: "I don't know if there's enough votes tonight to take it off the table, but that's what I'm going to be asking for tonight."

Marilyn Binder: "Thank you."

Supervisor Villella: "Anyone else like to-- George? We've got to go into the resolutions."

George Schmelzer: "Can't raise my arm, I hurt my arm this afternoon."

Supervisor Villella: "Pinched nerve?"

George Schmelzer: "Of course, this group of people who like their waterskis, isn't it? They were forbidden to go any place in town? I told them to go to the Peconic River (inaudible). So do you want to make this place? Instead of having it banked off, have it below ground, that's all. That's the end of it. The water level will be no higher than the surrounding ground level. So what? They want to do it; it's their own land. If it doesn't work out you can raise fish in there. So, could call it a fish farm. Maybe you can have fish at the same time. Not sharks though because-- "

Supervisor Villella: "Okay, George. Thank you. If no one else wants to speak on the resolutions, we are going into the resolutions. You all right, George?"

George Schmelzer: "I can't raise my arm-- I hurt my arm this afternoon or something."

Supervisor Villella: "I hope you feel better."

Resolution #579

Councilman Lull: "579 promotes Senior Account Clerk Typist to



the position of purchasing technician. The promotion is for Mary Ann Tague. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #580

Councilman Lull: "Resolution 580 appoints Matthew White as Provisional Ordinance Inspector in the Building Department. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes."

Supervisor Villella: "I think what we should do is clarify these. These are all people that are working in the Town already. We're just moving them around and filling positions where they're needed and everything. I don't want you to think that we're hiring all kinds of people."

Councilman Lull: "Matthew White was interviewed this afternoon by the personnel committee. He's coming from part time police officer to ordinance inspector."

Barbara Grattan: "The resolution is adopted."

Resolution #581

Councilman Kwasna: "This appoints Thomas Kruger as a provisional senior water treatment plant operator to be in the water department. So moved."

Councilman Kent: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kwasna, yes; Kent, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #582

Councilman Kent: "This appoints Michael Benedict as a provisional senior water treatment plant operator IIB in the water department. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #583

Councilman Cardinale: "This resolution appoints a provisional Justice Court Clerk, Connie Stelzer who is part time moving to full time. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna,"

Councilman Kwasna: "I just want to say something on the previous two resolutions here before I lose track of it. Gary Pendzick is here tonight and I want to thank him and the water department for doing such a great job over the past week or so on this drought we've been having, this heat wave, and the great guys we have working there in the water department and moving them to these positions that Gary needs them in was a needed thing to do. And I just wanted to bring that up before we move onto any other resolutions. Thank you, Gary."

Councilman Lull: "And the numbers are staggering."

Councilman Kwasna: "At least nobody is running out of water this year, right?"

Supervisor Villella: "Well, we were close. Today we were

close. Very close today. We almost had to call-- "

The Vote (Cont'd): "Lull, yes; Villella, yes. The resolution is adopted."

Resolution #584

Councilman Lull: "584 accepts the resignation of Alexander Anasky as dog control officer-- animal control officer, sorry. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #585

Councilman Kwasna: "This ratifies the appointment of a bus driver to Riverhead Recreation Department. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #586

Councilman Kent: "This ratifies the appointment of Ashley Mangels to be a lifeguard to the Riverhead Recreation Department. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #586

Councilman Cardinale: "This resolution ratifies the appointment of summer recreation aide to the Riverhead Recreation Department, Frances Jones. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #588

Councilman Lull: "Ratifies authority for the Town Clerk to publish and post a help wanted ad for Account Clerk Typist. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #589

Councilman Kwasna: "589 is resolution authorizing the Supervisor to execute a change order in the amount of \$1,950 for the Riverhead Water District high pressure zone in Wading River. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #590

Councilman Kent: "Resolution 590 authorizes an offer pursuant to Section 303 of the New York State Eminent Domain Procedure Law in connection with the condemnation of 227 Railroad Street, in Riverhead, New York. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #591

Councilman Caridnale: "This resolution authorizes an offer pursuant to Section 303 of the New York State Eminent Domain Procedure Law in connection with 254 Railroad Avenue. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #592

Councilman Lull: "Authorizing offer pursuant to Section 303 of the New York State Eminent Domain Procedure Law in connection with the condemnation of 243 Railroad Street, in Riverhead. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #593

Councilman Kwasna: "This approves an application for Mothers of Super Twins to hold a carnival, a bazaar, in Wading River and Route 25A, just east of King Kullen shopping center. I think it had the same thing there last year. So moved."

Councilman Kent: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #594

Councilman Kwasna: "This awards bid for demolition of structures on premises owned by George Kaimis at 225 Pulaski Street in Riverhead. That's the old BB's gas station. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #595

Councilman Cardinale: "This resolution authorizes the Supervisor to execute an attached indemnification agreement between Atlantis Holding Company LLC and the Town of Riverhead. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #596

Councilman Lull: "596 approves the application of the Jamesport Fire Department Association for the carnival and bazaar, Route 25-- on Route 25, July 13th through July 17th. So moved."

Councilman Kwasna: "Second."

Barbara Grattan: "No, that's not what I have."

Councilman Kent: "That's what I have."

Supervisor Villella: "Jamesport Fire Department Association."

Councilman Kent: "That's a different one. We saw that."

Councilman Lull: "I'm sorry, that one was pulled. Sorry about that. I don't know what-- we talked about it this afternoon, Barbara. That was the idea of moving the line from across the street to the police department."

Barbara Grattan: "Does anybody have that resolution?"

Councilman Kent: "I think I do have that resolution but it's under a different number."

Barbara Grattan: "Okay, Councilman Lull, 596."

Councilman Lull: "596 approves the application of Jamesport Fire Department Association for their bazaar on July 13th through 17th. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #597

Councilman Kwasna: "We're going to take this opportunity to table 597 and 598."

Supervisor Villella: "598, both of them are tabled."

Councilman Kwasna: "So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded to table 597 and 598."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded to table."

The Vote: "Cardinale, yes, to table; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolutions are tabled."

Resolution #599

Councilman Kwasna: "Those two that were just tabled were local laws that needed more work on the language."

Resolution #599

Councilman Cardinale: "This resolution adopts a local law to add a new Chapter 68 entitled Housing Standards to the Riverhead Town Code regarding street address numbers being posted. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #600

Councilman Kwasna: "This authorizes the Town Clerk to publish and post public notice of a cancellation of the Riverhead Town Code Revision Committee meetings. I believe they are cancelling a couple of meetings here, three. Yes. August 4th, August 18th and September 1st, the meetings have been cancelled. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #601

Councilman Lull: "601 authorizes the Town Clerk to post and publish notice of a public hearing to consider a proposed local law for an amendment to Chapter 45, Alarm Systems of the Riverhead Town Code. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."



Resolution #602

Councilman Kent: "Resolution 602 authorizes the Supervisor to execute an agreement for musician services provided by at the lunchtime concert series hosted by the Riverhead Business Improvement District Management Association. This contract is one with Larry Lang for July 8, July 29, August 19 from 12:30 p.m. to 2:00 p.m. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes."

Supervisor Villella: "And these are free concerts, so 12:30 to 2:00 p.m., the same as with Townscape that Jim Lull has-- every Friday night is a free concert, so you should be going to these, they're great."

Barbara Grattan: "Resolution is adopted."

Resolution #603

Councilman Cardinale: "603 authorizes the Supervisor to execute an agreement for musician services provided at the lunch time concert series hosted by the Riverhead BID. This is Todd O'Shea, and 604 is the same with Gary Pickard. I'm told that these are all on Thursday afternoons from 12:30 to 2:00 p.m. throughout the summer. They are free except you're paying for them in your tax dollar and we ought to go. So moved."

Supervisor Villella: "No, no, these are paid by the Business Improvement District."

Councilman Cardinale: "Better yet. Then you really ought to go."

Sal Mastropolo: "Question. If they're paid for by BID, then how come you're signing the contracts?"

Supervisor Villella: "Because we are the BID."

Councilman Kent: "We're the Board for the BID Management Agency."

Sal Mastropolo: "So then the town-- "

Supervisor Villella: "We're (inaudible)."

Adam Grossman: "Sal, you really have to come to Board meeting."

Sal Mastropolo: "Sal Mastropolo, Calverton. And I just heard what I thought was a contradiction because I noticed this when I was reviewing them earlier here and then I figured well, the word "hosted" means somebody's hosting them but they're being sponsored by the Town and that's why I didn't question why you were signing the contract. Now, Business Improvement District Management Association, is that a private association or is that part of the Town of Riverhead?"

Councilman Kent: "It's a taxing district. They pay a special district tax."

Supervisor Villella: "They pay their own taxes."

Councilman Lull: "The management association is volunteer organization of the Business Improvement District."

Sal Mastropolo: "Okay, as "association" is a private organization or a private association and if they are--"

Councilman Lull: "But they do not have control over the funds of the BID. We are the Board of Directors of the BID; we control the funds."

Sal Mastropolo: "So, it's a Town function?"

Councilman Lull: "Yes."

Supervisor Villella: "Yes."

Councilman Lull: "The BID is a taxing entity, yes."

Sal Mastropolo: "Okay."

Supervisor Villella: "All the business people in the BID district, they pay their separate taxes-- not the residents or

anything."

Sal Mastropolo: "What was unclear to me was whether the lunch time concert series is being funded by the Business Improvement District Management Association or the Town of Riverhead."

Councilman Cardinale: "There's another choice, that's the problem. This is the way it works and that's why I was incorrect. The Riverhead BID is funded by the Business District's taxes that come in. So in effect you're being invited by the Business District at their expense to these concerts. They're going-- the one that's going to host it is the Riverhead Business Improvement District Management Association which is their private voluntary association. And to make it really clear, the reason the Supervisor has to sign it is because he is the Chairman of the Business Improvement District and we are its members."

But the good news is I was wrong. It isn't taxpayer dollars."

Sal Mastropolo: "That's what caused the confusion, your comment about you're paying for it out of your taxes."

Councilman Cardinale: "The only one that's paying us-- paying out of their taxes is the businessmen who are inviting you to downtown."

Sal Mastropolo: "Okay, thank you."

Councilman Kent: "So go downtown and spend money and watch the concert."

Supervisor Villella: "Yes, buy some ice cream-- where are we?"

Councilman Cardinale: "We issued 603 and 604 together. So moved."

Supervisor Villella: "Is there a second?"

Councilman Cardinale: "I'll second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolutions are adopted."

Resolution #605

Councilman Kwasna: "605 authorizes the Supervisor to execute a third party sub-license agreement. This is for work we need to be done on the Master Plan. So moved."

Councilman Kent: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #606

Councilman Kent: "Authorizes the Town Supervisor to execute commercial Sewer District extension certificate of substantial compliance."

Councilman Cardinale: "Seconded."

Councilman Kent: "I'd like to make a small amendment to this. In the third Whereas clause, I'd like it to read Whereas, H2M, the project engineer."

Councilman Cardinale: "Seconded, as amended."

Supervisor Villella: "Moved and seconded as amended."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #607

Councilman Cardinale: "Authorizes the Town Supervisor to execute commercial Sewer District Extension certificate of final completion. So moved. I move it and I'd also add the same change inserting H2M as indicated in 606. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes;

Villella, yes. The resolution is adopted."

Resolution #608

Councilman Lull: "608 amends Resolution #497 which awards bid for the annual Town-wide construction contract. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #609

Councilman Kwasna: "609 ratifies the authorization of the Town Clerk to publish and notice to bidders for the Fresh Pond Schoolhouse alterations. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes."

Councilman Lull: "Could I ask that where it says certified copies to be sent to-- don't you think we should send one to Dr. Grantham?"

Supervisor Villella: "I was just going to say this is a-- how long she's been waiting for this. It's just been unbelievable. I'm glad she has some patience. To Dr. Grantham."

The Vote (Cont'd): "Lull, yes; Villella, yes. The resolution is adopted."

Resolution #610

Councilman Kent: "This authorizes the Town Clerk to post and publish notice to bidders for building materials as listed in the specifications available at the Town Clerk's Office. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #611

Councilman Cardinale: "611 is a budget adjustment from the Community Development Agency, \$3,000 from fuel oil to Landscaping. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #612

Councilman Lull: "Police Athletic Fund-- Police Athletic League Fund budget adjustment from appropriated fund balance and (inaudible) division to soccer program expense and football supplies. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #613

Councilman Kwasna: "This authorizes the Supervisor to execute supplemental agreement with the New York State Department of Transportation. This is for Whereas the Town of Riverhead as a sponsor if an ISTEAF funded project for the Hallockville Restoration, has an executed contract with the New York State Department of Transportation (DOT) for reimbursement in the amount of \$312,000, ISTEAF grant, so moved."

Councilman Kent: "Second."

Supervisor Villella: "Moved and seconded. There might be

discussion?"

Councilman Cardinale: "This is amending the completion date only from April '98 to December 2000. That's the only change in the agreement, is that correct?"

Councilman Kent: "Right, we have the right to--

Supervisor Villella: "Right, and the funds are three hundred and something thousand dollars-- "

Councilman Kent: "\$312,000."

Councilman Cardinale: "That innures to our benefit--"

Councilman Kent: "Yes."

Councilman Cardinale: "So we can spend it over a longer period."

Councilman Kent: "I'll second it."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #614

Supervisor Villella: "That was a mistake so we took that out."

Councilman Kent: "No, 614 authorizes-- I have it. It authorized H2M our consulting engineers to study the Calverton Sewer District. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #614

Barbara Grattan: "Resolution 614 which is going to be withdrawn by Councilman Kent-- do you want to withdraw it?"

Councilman Kent: "614, I just moved and passed that one."

Supervisor Villella: "We just did that one."

Councilman Kwasna: "We did 614."

Supervisor Villella: "What it was, 614 on here was wrong-- that's the one, yes."

Councilman Kent: "We're on 615 now."

Supervisor Villella: "615."

Councilman Kent: "This is to execute a change order."

Resolution #615

Councilman Kent: "This resolution is authorizing the Supervisor to execute change order-- authorizing a reduction, that's unusual."

Councilman Lull: "This is a change order in which we actually get change."

Councilman Cardinale: "We're actually going to get change out of the change order. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #616

Councilman Lull: "616 is a resolution authorizing the Supervisor to execute a change order for Well #4-2 and there goes the \$15,000. So moved."

Councilman Kwasna: "Second."



Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #617

Councilman Kwasna: "617 awards bids for the construction of advanced wastewater treatment facility of Riverhead Sewer District. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #618

Councilman Kent: "I'd like to move that we amend this resolution. In the first Resolve clause, first let it say resolve, and then let it say \$7,510 written and-- in the written words, and also in the numbers. And with that amendment I will move this resolution authorizing the release of performance bond for Greater Lakeside Corp."

Councilman Cardinale: "Seconded, as amended."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #619

Councilman Lull: "You know, excuse me, I have to ask the question. We have given them a CO, what is Greater Lakeside Corp? It doesn't identify it. That's the company-- "

Supervisor Villella: "Is Leroy still here? Is Rick still here? Rick, do you know? Do you know what this is, Lakeside Corp.?"

Rick Hanley: "Go look now? Is it a subdivision file?"

Councilman Kent: "It's a performance bond."

Councilman Lull: "Performance bond."

Councilman Kent: "It says Board actually, but it's a performance bond, I believe. It has the CO number."

Rick Hanley: "This would be a site plan performance bond. Not a subdivision. It's 5%. So we took a 5% bond on some site plan construction project and we're just-- if a CO has been issued, then we release it."

Councilman Lull: "I know the process, I just want to know where it is."

Supervisor Villella: "What is Southgroup Acqusition Co. And Greater Lakeside Corp.?"

Rick Hanley: "They're the corporate names-- "

Supervisor Villella: "Yeah, I know, but what project? We don't know what the project is."

Rick Hanley: "Well, if there's a tax map number, I can probably figure it out."

Councilman Lull: "It's finished and I'm sure it looks great."

Supervisor Villella: "14548-- 14548, Leroy, 3/18/1999."

Councilman Kwasna: "It's probably Kentucky Fried Chicken."

Supervisor Villella: "We'll come back to this, is that okay?"

Barbara Grattan: "Okay, let's go to Resolution #619 then.  
Councilman Cardinale."

Resolution #619

Councilman Cardinale: "619 authorizes the release of performance bond (Certificate of Deposit) for Michael Ireland who we all know did the auto repair, Riverhead Auto-- wherever it is. It's over on-- where Doctor's hits Main Road. So moved. Give him back is deposit."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #620

Councilman Lull: "Approves the application of Tanger Factory Outlet Centers, Inc. for tent sales. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #621

Councilman Kwasna: "This authorizes the law firm of Twomey, Latham, Shea & Kelley to commence litigation against the Department of Environmental Conservation in connection with the Calverton Industries, Inc. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella."

Supervisor Villella: "Do we want to talk about-- a little discussion on this?"

Councilman Cardinale: "Well, I think this looks like a winner."

Supervisor Villella: "The DEC issued a neg dec on Calverton Industries so we are doing an Article 78 against the DEC."

Adam Grossman: "The reason that we're taking this action now is because (inaudible) four months has passed so the four month time period is nearly expired and we have made all the attempts we could in

order to negotiate with the DEC for them to change their position on this issue and, unfortunately, they have not-- have failed to respond."

Supervisor Villella: "Remind me to call up Ray tomorrow. Because he still has-- we wanted to pass this resolution before we sue, we'll give him a last chance to back off. We don't want to issue any permits on Calverton Industries for sand mining plus it's prohibited in the town of Riverhead."

Councilman Cardinale: "To those of you who do not know, issuing of a negative dec is a statement that by the DEC as lead agency, that sand mining as it's going on at Calverton, has no significant impacts on the environment which strikes me as somewhat ridiculous."

Supervisor Villella: "And I'll say yes."

Barbara Grattan: "The resolution is adopted."

Resolution #622

Councilman Kent: "Authorizes to-- an authorization to publish bid for residential solid waste collection and disposal services. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #623

Councilman Lull: "East Creek pumpout station capital project budget adjustment, \$2,000 to waste disposal. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #624

Councilman Lull: "Authorizes the execution of a contract for New York State assistance from the household hazardous waste State Assistance Program for our STOP program. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "I don't see a contract attached."

Supervisor Villella: "What this is, is we got a grant for \$22,180 from the DEC going to our STOP program and hazardous waste-- it's a matching grant."

Councilman Kent: "We have to put up \$22,000 also."

Supervisor Villella: "Yes. Fifty percent."

Councilman Cardinale: "We each put up twenty-two but we have an agreement where we signed with them, which should be attached. We've lowered our standards a lot, but we do like to read the agreements before we pass them. So I would suggest that unless we have to pass this, we wait until we have the agreement attached to it."

Supervisor Villella: "We could table this because the next one will probably be-- we're going to do three more-- September, we are going to be doing three more STOP programs."

Councilman Cardinale: "I would ask that it be tabled until we can take a look at this."

Councilman Kent: "Second to table."

Supervisor Villella: "Okay, moved and seconded to table, 624."

The Vote: "Cardinale, yes, to table; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is tabled."

Resolution #625

Councilman Kwasna: "Authorize the release of a good faith deposit of Swezey Riverhead Holding, this is a \$10,000 deposit they put in to make sure they finished up on the demolition of the buildings on Main Street. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Supervisor Villella: "Before we go into the next one, 618, Leroy, could you please-- "

Leroy Barnes: "(inaudible) is the Aquebogue deli that burned down."

Supervisor Villella: "So we had it moved and seconded. Now we take the vote. Thanks a lot, Leroy."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

#### Resolution #626

Councilman Kent: "This is an authorization to publish and post a bid for the purchase of first responder accessories. So moved."

Councilman Cardinale: "Seconded."

Councilman Kent: "Pocketbook and belt."

Supervisor Villella: "Riverhead ambulance. Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

#### Resolution #627

Councilman Cardinale: "627 appoints Joann Marshall to the Riverhead Anti-Bias Task Force. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "In deference to-- Bill Kasperovich who correctly indicates that we should indicate who is suggesting, she would be a good addition to the committee, it is by the-- after the word "suggested" please insert by the Anit-Bias Task Force committee members and with that addition I would move that we pass this resolution."

Supervisor Villella: "Is there a second?"

Councilman Kent: "I'll second it."

The Vote: "Cardinale, yes-- "

Supervisor Villella: "Moved and seconded."

The Vote (Cont'd.): "Kent, yes; Kwasna, yes; Lull, yes; Villella, yes."

Supervisor Villella: "I was at the last meeting. What's happening-- they haven't been meeting lately so I guess I took the bull by the horns and got everybody in the same room. So what's happening now is that we are reforming the committee and a new mission statement is to educate the people of what is going on out there. So we are pro-active instead of being re-active. So now they're going to be out there educating the people and we have a great group and I think it's going to go far. We have a meeting next week on this. So I vote yes and she would be a great welcome to this."

Barbara Grattan: "Okay, the resolution is adopted."

Resolution #628

Councilman Lull: "628 and 629-- interestingly 628 and 629 both appoint Kenneth Turbush to a position in the Recreation Department. 628 as a fill-in beach attendant and 629 as a fill-in park attendant. So moved."

Councilman Kwasna: "I'll second it, both of them."

Supervisor Vllella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Vllella, yes. The resolutions are adopted."

Resolution #630

Councilman Kent: "This appoints Edward Kemnitzer to the Riverhead Conservation Advisory Council and I'd like to amend the second Wherefore clause to say that it has been suggested by the members of the Conservation Advisory Council that Edward Kemnitzer-- so with that amendment, I move the resolution."

Councilman Cardinale: "Seconded."

Supervisor Vllella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Vllella-- "

Supervisor Vllella: "Before I vote on it, I just want to let you know that the CAC is doing a tremendous job. They look into all the projects that are in town, especially if they have something to do with the wetlands. This hasn't been done in quite a while, so this is--we have reformed the committee again and the SEQRA process is working a lot better. So I vote yes for this."

Barbara Grattan: "The resolution is adopted."

Resolution #631

Councilman Cardinale: "Resolution 631 authorizes the Town Engineer to demolish 143 Cliff Road-- "

Supervisor Vllella: "West."

Councilman Cardinale: "Wading River. Now I'm going to suggest by making a motion initially that we withdraw this and readvertise because I would love someone-- all of you out there in TV land-- it's a wonderful house, you can have it if you'll move it."

Supervisor Vllella: "You can put any kind of bid in."

Councilman Cardinale: "It's just possible as Rolph says there's



somebody out there that couldn't find the place. So we will re-advertise for a few dollars, 143 West Cliff Road and we get luck and somebody takes it so we don't have to pay for the demolition, I'll buy you a bottle of your favorite liquor or non-alcoholic beverages. Okay. So let's-- I'm asking that it be tabled so that we can re-advertise."

Councilman Lull: "I'll second the motion to table."

Supervisor Villella: "Moved and seconded to table."

The Vote: "Cardinale, yes to table to readvertise."

Supervisor Villella: "Make sure that we get this in the paper the right way."

The Vote (Cont'd.): "Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is tabled."

#### Resolution #632

Councilman Lull: "Approves the application for a fireworks permit of Jamesport Fire Department Association, fireworks to be held at 10:00 p.m. on July 17th. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

#### Resolution #633

Councilman Kwasna: "This approves the application for fireworks permit of Riverhead Pride Club I believe this Friday night at their golf tournament at Cherry Creek Golf Course, July 9th at 9:00 p.m. So if anybody hears a lot of noise out there Friday night, it's just a fireworks display at Cherry Creek. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #634

Councilman Kent: "This resolution is the SEQR determination on the special permit site plan petition of Jerry and the Mermaid and the referral of same to the Planning Board. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #635

Councilman Cardinale: "This is a general fund budget adjustment from appropriated fund balance to various expenditures in departments. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #636

Councilman Lull: "636 is a budget adjustment in the water district. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #637

Councilman Kwasna: "This is a capital project budget adjustment

for 225 Pulaski Street demolition. It's taking \$14,000 from Real Property Tax to put into the demo of the real property. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #638

Councilman Cardinale: "638 is the Community Development Agency budget adjustment-- it isn't. Well, I have another 638. 638 which is number 639 is police officer memorial park capital project budget adjustment, \$2,500 from a special trust signage for the sign over in the park. Bayberry Park. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Which is going to be renamed Police Officer's Memorial park."

Councilman Cardinale: "So moved."

Supervisor Villella: "Is there a second?"

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #639

Barbara Grattan: "Resolution #639 to pay bills."

Councilman Lull: "So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Supervisor Villella: "Okay Resolution 355 that was tabled-- "

Councilman Kwasna: "We still have one more here."

Supervisor Villella: "What have we got?"

Councilman Kwasna: "640."

Councilman Kent: "640."

Councilman Lull: "640 appoints account clerk typist in the Town Clerk's Office, the person being appointed to that position is Diana Wilhelm. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Is there a second?"

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted."

Councilman Kent: "Now we have two resolutions, the tabled one and-- "

Supervisor Villella: "We tabled one which was 355 approves-- this is to be un-tabled."

Councilman Lull: "I'll move the tabled resolution to bring it back on the table, Resolution 355, which-- "

Councilman Kent: "Can I suggest something? If we are going to move the denial permit of-- the denial resolution, I don't think we need to move the approval resolution. So why don't we just move the denial resolution. If we deny it, we don't have to move-- "

Supervisor Villella: "We don't have to take it off the table then. Correct."

Adam Grossman: "I think it would be better that we-- "

Councilman Lull: "Adam likes everything tied up at the end."

Councilman Kent: "You would rather do the approval one?"

Supervisor Villella: "I've got to listen to my Town Attorney. I listen to you, too, Chris, believe me. Okay, is there a second on that-- to take it off the table?"

Councilman Kwasna: "I'll second it."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "I do not want to take it just off the table; I'll indicate the reasons subsequently."

The Vote (Cont'd.): "Kent."

Councilman Kent: "I'll vote no also to take it off the table."

The Vote (Cont'd.): "Kwasna, yes; Lull, no to take it off the table; Villella, yes to take it off the table. 3 no's and 2 yes."

Supervisor Villella: "All right. Now we're going to deny zoning amendment of Island Water Park, Inc. Is there a motion?"

Councilman Kent: "I'll move that."

Supervisor Villella: "Is it seconded?"

Councilman Kwasna: "I'll second it."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale-- "

Councilman Kwasna: "What number is this resolution?"

Supervisor Villella: "639."

Councilman Kent: "No, this is 641."

Councilman Kwasna: "641, 642?"

Councilman Cardinale: "Did you just ask me to vote? This is a - vote on a motion that denies the zoning amendment of Island Water Park, Inc. and I told you I'd comment why I didn't want to take the other one off the table and we this should be tabled this evening. Three weeks ago-- "

Councilman Kent: "Wait a second. You should make a motion to table it because that supersedes a motion to a motion to vote-- "

Councilman Cardinale: "Okay, good point. I would ask that this-- before we consider the substance of the motion, that we consider tabling this motion for two weeks. And I would ask-- for these reasons I would like to indicate the reasons I'd like it tabled.

Three weeks ago at our last Board meeting, I received a call prior thereto from Bill-- from Walter Gazari (phonetic) a member of the Calverton Civic Association and an objectant to this project. He asked that I table or not join in untabling the previous motion to approve this water park. He indicated that all he wanted was the time to further study the issue, discuss it with the people within the community who were obviously getting very concerned about this and also discuss it with an attorney at the Calverton Civic Association or certain members of it would employ.

In fact, I felt that was a very reasonable request and that considerations of evenhandedness and courtesy required that we not bring off the table the motion to approve this project by zone change and by special permit. In fact, during that interval of three weeks, the opponents of this project have made some very excellent points. They have retained a very excellent attorney, Mr. Anthony Tohill, very well versed in this area of law. And the-- I have made it clear to the proponents' attorney that there-- and I have made that clear to him since January or February-- that in agreement with the objectants' here, that I did not believe that this should ever come to a vote until we have in front of us a draft environmental impact statement.

In 12/15/98, this Board indicated to the proponents of this project a draft environmental impact statement was not required. I believe it was a 4-1 vote and I believe I voted against going forward without a draft environmental impact statement and as it turns out every member of this Board as we stand here knows and believes that a draft environmental impact statement is required for this project.

That draft environmental impact statement will take at least six months, costs thousands of dollars, and will answer all of the questions that you have posed to us, even this evening. What about? Where is this? There is not enough information and shouldn't this have been checked out? All the things that were said tonight. It will be voted on by a different Board if he proceeds with the draft environmental impact statement, sometime in early 19-- in early 2000.

I gave a courtesy in trying to be evenhanded to Mr. Gazari and not-- in declining to bring it off the table for a vote and approval three weeks ago. I've been asked by Mr. Cuddy the proponents' attorney, to do the same to enable them to consider whether they wanted to withdraw the application, whether they wanted to proceed to six months and a great expenditure for a draft environmental impact statement and to consider whether they might choose different-- alternate siting or simply ask us to take it off of our voting calendar.

So the considerations that urged me to ask that this be tabled are courtesy and evenhandedness and the fact that there is not a draft environmental impact statement here. We do not have sufficient information to vote on this project. We agree with the objectants. We do not have sufficient information to vote it up. We do, therefore, not have sufficient information to vote it down as thoughtful, intelligent representatives of the people. The proponents of this project have spent a great deal of money and may wish to spend thousands more and months of time. I think that in fairness we should give them that opportunity.

I also think that to vote on this at this time, without a draft environmental impact statement, up or down, would be a disservice to the opponents, a disservice to the proponents, and most especially a disservice to the town. So accordingly, I'm asking that it be tabled for two weeks. Mr. Cuddy has indicated at that time he will either withdraw the application or he will move forward with a draft environmental impact statement which will require this Board to rescind its previous resolution wherein we told him on 12/15/98 with myself I might add voting against it, saying we needed a draft environmental impact statement. We told the proponent we don't need it and we told him a week ago now we need it. It seems to me we should give him the opportunity to produce it. So I ask that it be tabled."

Supervisor Villella: "Is there a second to be tabled? If not,

it's not tabled. So now we go on with denying 641. Is it moved?"

Barbara Grattan: "It was moved by Kent."

Supervisor Villella: "Has it been seconded?"

Barbara Grattan: "Seconded by Kwasna and then Cardinale."

Supervisor Villella: "For a vote."

Councilman Cardinale: "For the reasons indicated a moment ago, I'm abstaining. I do not believe I have sufficient information to vote. And I believe courtesy and evenhandedness require abstaining."

The Vote (Cont'd.): "Kent."

Councilman Kent: "I'll vote yes on the denial."

The Vote (Cont'd.): "Kwasna, yes; Lull."

Councilman Lull: "I came very close, Phil, to joining you on that because there really is an amount of evenhandedness. I, too, had talked with Charlie Cuddy about this and my suggestion to him at the most recent time we discussed it was shortly after the filing of the protest document and that was that they continue on with the project but at a different location. I have been happy with project right along. I like the project. I do not like the location and the-- one of the things that stands in the way here is that one of the most interesting aspects of this whole project is an aspect which they have to deny in their present location. And that is attracting people to the town. Those people who are opponents to this project did ask at the hearing what are you going to do for the town? And you ask that rightfully. If this group were conducting their club in a way that they could hold club meetings and club get together and they could hold tournaments, they would be doing something for the town. They'd be bringing people here. But that's not what they're going to be able to do with the road system that surrounds the place where-- that they have chosen.

Finally I think it's very clear and Phil got just about to the point of saying this, and that is whatever the decision is if we make a decision to approve this project, it's not going to go forward anyway. You all know it. It will be tied up in litigation for a very long time. And that doesn't do anybody any good, not the owners of



the property, not the people who wish to make this water park work, and certainly not you. And certainly not us because it's going to involve financing from us, too.

So, therefore, I vote in favor of denying the amendment."

Supervisor Villella: "All right, I've been saying all along, you know, I didn't care for the project, it should be in a different area and I told that to their lawyer today and I hope they do find another area but it's not going to be in Deep Hole Road, that's for sure. So I vote yes for the denial."

Barbara Grattan: "The resolution is adopted."

Supervisor Villella: "I think that's it for the resolutions and now we will go into public comment. Open mike time. George, I've got cards here first. Is Marie Becker-- sorry, you had to wait too long."

Marie Becker: "I'm Marie Becker, Cliff Road, Wading River. Can you hear me? We have a situation at the Hulse Landing beach that has to be rectified. An ordinance apparently was passed-- there's a new billboard that was put up where four wheel drives are allowed on the beach from 6:00 at night until 9:00 in the morning. Why?"

Supervisor Villella: "That's only for fishing. That's for a special permit."

Marie Becker: "All right. If it's special permits, that was I was told for fishing."

Supervisor Villella: "But, let me explain one thing. What you're-- I know the problem we have from Hulse all the way down to Wading River beach and I don't know if the Chief is here today-- tonight, and he knows about it and he is going to send his squad out there to patrol that beach because there are a bunch of kids out there that are hot dogging on the beach."

Marie Becker: "That's exactly-- not only hot dogging, they're screwing around on the beach, making noises, all night long until 5:00 in the morning. The season has just started and I've had to call the police twice at 5:00 in the morning already. Not only myself, my neighbors."

Supervisor Villella: "And they have no permits whatsoever,

these kids. We realize that."

Marie Becker: "Well, I don't think anybody should have a permit to-- "

Supervisor Villella: "They go fishing."

Marie Becker: "I know. But what are they catching there? Twenty-five pound tunas that they need the four wheel drive there to put their big fish on? They're catching little bits of things. My five year old grandson could carry it to the parking lot."

Supervisor Villella: "Whatever the fish is, it's allowed under the code and everything."

Marie Becker: "Well I think the code should be changed. We have a big parking lot, they could park their cars in the parking lot, go fishing, and carry that big haul, that-- they're not catching anything."

Supervisor Villella: "We found out from the organization-- we talked to the civic groups and everything all throughout that area. They don't mind the fisherman. The fisherman take care of the situation. They don't put ruts like the other kids are doing. These are people out there that just-- they don't care. Fishermen do care. The beach buggy group, they do care. They know they have to take care of the beach or they're not going to be on that beach. It's the other ones that we're going to be taking-- you know, we're going to be looking after. And we know we have a problem."

Marie Becker: "The situation must be rectified and it must be rectified immediately."

Supervisor Villella: "Yes. I went-- "

Marie Becker: "Because it's gone from bad to worse."

Supervisor Villella: "I went to three organizational meetings from Herod Point, you name it, they all said the same thing. Hulse Landing, Wildwood Acres-- "

Marie Becker: "It's a disgrace."

Supervisor Villella: "It absolutely is. And I just got it this

past weekend from all of them and I met with the-- we talked to the Chief today and he's going to take care of it."

Marie Becker: "Okay. Thank you. Now the other issue I'd like to bring up very fast. Last year you had an ordinance where no dogs were allowed on the beach. This year that's not on the billboard, you know, the billboard down below. Why was that taken off? Why should we have dogs on the beach? We have people walking dogs on the beach with two and three dogs that are pooping all over and they don't know what a pooper scooper is so they don't pick it up."

Supervisor Villella: "It wasn't taken off any town code or anything."

Marie Becker: "No. There's nothing on our billboard that says no dogs are allowed. It was there last year. But not this year. I read that billboard three times."

Adam Grossman: "It is in the town code."

Marie Becker: "Well, maybe on the Town code, but it's not on the billboard so therefore we have these dogs perusing the beach here, pooping all over the place, and then we have to walk in it. Well, I'd like that added on immediately because I started screaming at a couple people that had dogs on the beach and they said to me there's no reason why I can't bring my dog here. There's nothing written that I can't bring the dog down to the beach."

Supervisor Villella: "On a public beach they can't be on there."

Marie Becker: "Well, I'd like something done immediately on that. Thank you very much."

Supervisor Villella: "When the beach is open from 9:00 to 6:00 they can't-- dogs are not allowed on the beach."

Marie Becker: "Well, you mean they're allowed on the beach after six?"

Adam Grossman: "I don't think so. I think it's--"

Marie Becker: "Why should they be allowed after six?"

Adam Grossman: "(inaudible)."

Supervisor Villella: "We heard it in Jamesport they walk their dogs after hours."

Marie Becker: "There are a lot of roads to walk their dogs on."

Supervisor Villella: "But these particular people they do take care of the problem, they do pick up-- "

Marie Becker: "Well, no one in our area picks up after their dogs and something should be done. Tickets should be given out to them."

Supervisor Villella: "We'll get back to you on that, Marie. Sid."

Sid Bail: "Good morning."

Supervisor Villella: "Yeah, we've been here since 10:00 this morning."

Sid Bail: "I know. All right. This is good, this is good. Sid Bail, President of Wading River Civic Association. I'll keep this short and sweet. I would like to request that the Town Board authorize an appeal of the recent ruling by Judge Berler on the boundaries of the creek."

Supervisor Villella: "Go ahead, Adam."

Adam Grossman: "Sid, you and I spoke this morning. I got the authorization-- "

Sid Bail: "Great. Great. I hope we do better."

Supervisor Villella: "Well, if the Judge looks at it we'll do better."

Sid Bail: "Right. We'll see you in Wading River, I guess, in two weeks."

Councilman Kwasna: "Have the airconditioning on for us."

Sid Bail: "Yes, sir."

Supervisor Villella: "Thanks, Sid. I have people on the-- you

can speak after but people already signed the cards, so Lou Turner-- that's right, he's going to come to a work session. Okay. Sid we already took care of. Tom Bozza we took care of. Adolph Desnieski we took care of. Now, where's the hands up first? Sal and-- go ahead. Barbara, you can take these-- they spoke earlier on other issues."

Sal Mastropolo: "Sal Mastropolo, Calverton. Just a comment. You said the public beach and the dogs. Are you talking about the 50' of public beach that's at the end of Hulse Landing Road? Because the beach to the west of that is private. It's owned by Hulse. Now does the Town ordinance cover the private beaches or just the public portion?"

Adam Grossman: "The Town ordinance covers the public beaches."

Sal Mastropolo: "So, we're only talking about the 50 foot that's at the end of Hulse Landing Road. So there is no Town ordinance that addresses all of the beach from Hulse Landing all the way down to Wading River."

Adam Grossman: "Only public beaches."

Sal Mastropolo: "She should understand that. Okay. You can only address the 50 foot."

Councilman Kwasna: "Because if it's below the high water mark-- yes, it's got to be below the high water mark."

Sal Mastropolo: "I'm not for or against what you're saying. I just want you to understand that their Town ordinance only addresses the 50 foot that's the public beach."

Supervisor Villella: "Thanks, Sal, for straightening that out. Yes."

Marie Becker: "So what good is that?"

Sal Mastropolo: "Well, that's why I made the clarification so, yes, it's only 50 foot is the public-- "

Adam Grossman: "People that want to speak have to come up to speak-- "

Harold Lindstrom: "Harold Lindstrom, Baiting Hollow. I just

have a question. Is there anything the Town can do to improve the shoulders on Sound Avenue? I belong to the SBRA, Suffolk Bicycle Riding Association. And a lot of our rides utilize Sound Avenue, especially through Riverhead. I know you've probably seen some of us on Sunday morning."

Supervisor Villella: "We have a grant money coming in from Congressman Forbes and then laying out-- oh, Chris isn't here. I think-- Sound Avenue is going to be the bike route. It goes all the way to Greenport."

Harold Lindstrom: "Yeah. As you go further out east, through Greenport, they have like five foot shoulders."

Supervisor Villella: "We don't have that."

Harold Lindstrom: "It's very dangerous both to rider and driver. Because if the drivers have to swerve into the other lane and, you know, I've seen-- we've had several incidents where there's been almost accidents or collisions with cars."

Supervisor Villella: "It's very dangerous. That's the reason why we picked that road to do the bicycle route. It's-- they're going to expand it."

Harold Lindstrom: "Like I say, we utilize that road quite a bit and it's extremely dangerous. So I was just wondering-- "

Supervisor Villella: "That's what we're doing in the grant, to widen it in that area for bicycles. It has the line, you know, the line within the lines-- "

Harold Lindstrom: "Yeah, because there is no shoulder. In some area you're right against-- "

Supervisor Villella: "That's the reason why we want to do it there."

Harold Lindstrom: "You're right against the side there. Okay. Thank you."

Barbara Grattan: "Can I have your name again, please?"

Harold Lindstrom: "Harold Lindstrom."

Supervisor Villella: "Anyone else like to speak? Go ahead, Steve. Is that Carol? Susan. Go ahead, Steve, and then Susan."

Steve Haizlip: "Steve Haizlip of Calverton. I would like to ask in the correspondence where these 257 people that was for this Island Water Park, if they are Calverton residents. I doubt it."

Councilman Kwasna: "There's nobody here to answer that right now."

Steve Haizlip: "And-- "

Supervisor Villella: "Maybe 10%."

Councilman Lull: "You can see the petitions, Steve."

Barbara Grattan: "The petitions are in my office. You can come in and see the petitions."

Steve Haizlip: "Okay. This here garbage problem that when I drive along the roads it still exists. Donald Cheshire (phonetic) has had garbage pickup, I think it's Fridays that they do it, and it's been there for ages. And he just leaves it and they just pass it. So, again, if this lady, Hogan, I believe that's her name, if she's going to be taking garbage complaints and calls, she should have some authority to call somebody whoever that you're contracted to, get up there to so and so place and get that stuff up."

Supervisor Villella: "We need a complaint first. I don't think anyone's called up or made a complaint. Because we've been taking care of everything that comes on the phone, Steve."

Steve Haizlip: "I made a complaint-- "

Supervisor Villella: "They do a tremendous job there. Whoever complains to Carol or anything, we take care of it."

Steve Haizlip: "All right. I turned in a complaint on a map, showed-- I went into Kim's office, made the map out, what road, where this garbage was, and she said that she was going to take care of it-- I don't know who she turns it over to whether it's Mrs. Hogan or you."

Supervisor Villella: "No. Right to John."

Steve Haizlip: "John. But it's still there. And it's up there at the Dave Wilmott's Suffolk Life building-- "

Supervisor Villella: "That's being taken care of."

Councilman Kwasna: "He told us about that."

Supervisor Villella: "Leroy, are you here? We just-- they're taking care of that. They're taking care of that."

Steve Haizlip: "All right."

Supervisor Villella: "That was from the sewer, when we put the sewer construction and everything-- "

Steve Haizlip: "Right."

Supervisor Villella: "It's being moved out. They got a warning yesterday, yes, they sent a letter out to them."

Steve Haizlip: "All right, good to hear it. Good to hear it. Right. And then that auction block is not too--"

Supervisor Villella: "That's the other one. We took care of that, too. Keep on going, Steve."

Steve Haizlip: "All right, very good. Now, when I brought up the question I took a little sensitivity towards when I spoke to Mr. Smith-- this non-- pre-existing and non-conforming. When somebody says you're putting a man on trial. I don't think that we're putting anyone on trial at a public hearing."

Supervisor Villella: "No, no. That wasn't meant serious. That wasn't what it was meant."

Steve Haizlip: "Well, if it was a little ribbing them, I guess I'll have to take it that way."

Supervisor Villella: "No, it wasn't even that."

Councilman Kent: "Actually, the question should have been posed to the Board and not to somebody in the audience. That's-- I think that's the best comment on that. You should have posed the question maybe to the Town Attorney rather than to Allen Smith."



Supervisor Villella: "No, but Allen is the-- "

Steve Haizlip: "Mr. Smith was presenting--"

Councilman Kent: "No, I understand."

Steve Haizlip: "All right. And he's available for questions."

Supervisor Villella: "I'll apologize, Steve. I'm a man; I'll apologize to him. I didn't mean for you to get-- it had nothing-- we'll just take care of that."

Steve Haizlip: "All right, okay. This is a very sore subject, the next one that I'm going to bring up. I believe there's a lot of people in the audience thinking about it, but they don't talk about it. And I guess I'm going to have to do the talking about it. I was sorry to hear that Mr. Anatsky had to resign from his position. You know, it's a sad day in our township and our county when you can have three or four women that can get up and rule the roost. This is what happened. And I hate to see him go because I know that he did the very best that he could. Everybody that has a job is not 100% perfect. I don't care who they are."

Supervisor Villella: "You're absolutely right."

Steve Haizlip: "You do to the best of your ability and that's what you swear to. And I believe he did to the best of his ability. And to the state law and so forth. And my last question, you mentioned in the early part here that you wasn't hiring people but you were shifting them around."

Supervisor Villella: "Yes."

Steve Haizlip: "Was Mr. Anatsky offered any kind of position to stay with the township?"

Supervisor Villella: "He's taking a job with a neighbor."

Steve Haizlip: "It's too bad that he has all that time and he has to lose everything just because some of these women get up and yell about it and I say these women that do all the yelling, they want everything, let them get up the money and spend it and get an animal hospital. This is not an animal hospital over there."

Supervisor Villella: "Thanks, Steve. Anyone else like to speak? Susie."

Susie Kurovics: "I think it's very appropriate I got up to speak now. I don't know what women put Mr. Anatsky out of his job. If it's in reference to RSVP, we have now been in this town for a year. As a matter of fact, it's almost a year to the day-- it happened in July was the demise of RSVP in Riverhead town. It's true that I believe he did the job to the best of his ability. I think the town is remiss at not helping at that pound. You had a volunteer group go up there that I don't think you helped them either. A year ago there was going to be, let's see, a puppy room. It was in the paper that it was going to be torn down and a new shelter would be built. Because, yes, a year ago you said that there would not be a pound soon because you had to cap the landfill."

Supervisor Villella: "That's years from now but, you're right. About three years."

Susie Kurovics: "So I thought maybe you would start preparing for a new location."

Supervisor Villella: "We are going to have to do something about that. Correct."

Susie Kurovics: "Yes. And I think that, you know, there's a big silent majority out there. We're not people that come up here to start trouble. We're-- you don't kill the messenger. When someone comes to say there's a problem or a better way to handle something, I think that in this day and age you should realize that most of your residents, and we get calls all the time from people that are concerned about how the animals are treated in this town, not abused per se but there is no cat program. Cats, kittens, I don't know what happens to them once they get to the pound."

The emphasis is not on adoption and I just feel that you should come in to a more humane situation."

Supervisor Villella: "As a matter of fact, we had a meeting last week and cats were brought up. It's going to be taken care of and also we are asking RSVP to come in to adopt dogs like they used to. I mean to look at them and see what's adoptable that you would take."

Susie Kurovics: "When were you-- I haven't heard from anyone in this town."

Supervisor Villella: "No, no. We just talked about it. We're going to be getting in touch with you. I guess Capt. Hegermiller has been on vacation so him and the Chief will be getting in touch with you."

Susie Kurovics: "Okay, because I also want to say-- "

Supervisor Villella: "Because all we have is Kent Animal Shelter. They take what they want, you know, that's adoptable-- "

Susie Kurovics: "Right. And that was what we had said. Once you deal with a private shelter they have to-- as a business, they have to take the most adoptable. Now there are many dogs that deserve homes that may not fit the bill of a private shelter. You need a group up there that are going to speak for these animals."

Supervisor Villella: "And that's why we keep them longer than what the state law says so we can try and find someone. I would appreciate it if your group would come in and try and adopt some of those animals like you used to. That would be great."

Susie Kurovics: "Well, we have-- right now, as a matter of fact, we have around four or five Riverhead dogs that people had contacted us they did not want the dogs to go to the pound. We take care of them. We spay and neuter many dogs in Riverhead over the year. So we are still working on Riverhead dogs but we expanded and we deal with a lot of Brookhaven and Southampton dogs also. I'm just saying that whoever goes up there and whoever assists whatever dog warden you get, I would like to see the pound support them more. I mean we-- "

Supervisor Villella: "We've been supporting-- I don't know. We're trying to get-- "

Susie Kurovics: "Well, what happened to the puppy room? I thought that was going to be built. Right now you still have a hot garage that is not useable. And-- "

Supervisor Villella: "That has nothing to do with us. It wasn't brought in front of us lately or anything, Susie, but what we're trying to say is we've got more people working up there. We're

trying to get two ACO officers, full-time, part-time. We have Ricky that's in there that's full-time now and he's doing a tremendous job."

Susie Kurovics: "He's good. He's very good. He cares about animals."

Supervisor Villella: "And then we have some volunteers and we need a part-timer for the weekend. We know what we need so I think they're doing the interviews. They'll get back up to where the animals will be taken great care of."

Susie Kurovics: "Okay. Because it would be nice to think that Riverhead is adjusting to the times and moving forward and we could do better."

Supervisor Villella: "We thought we were. I guess the perception is-- "

Susie Kurovics: "I guess some people on the Board find it either humorous or not interesting at all. Thank you for your time anyway."

Supervisor Villella: "Okay, Susie. Yes. George, I leave you for last. You know that."

Joan Griffing: "Color me naive in politics. You just voted on the zoning amendment, the Island Water Park. One gentleman abstained and the four of you said yes, I deny it. What is that?"

Councilman Kent: "We just denied the application for a change of zone from Ag A to Industrial which would have allowed them to make a special permit application for a recreational use. By denying the change of zone application, we are denying them their rights-- the right to use this property for a water park."

Joan Griffing: "Okay, thank you."

Supervisor Villella: "Oh, you didn't know?"

Adam Grossman: "The application was rejected."

Councilman Lull: "Well, it would be helpful to remember, the application that we had-- the resolution that we had on the table was to approve it. That stayed on the table and we introduced a

resolution to deny it. That was the way it worked."

Supervisor Villella: "Ann."

Ann Miloski: "My name is Ann Miloski, Calverton. I just would like to commend Supervisor Villella on the wonderful editorial in Newsday today. And everything you said was true; you're working for the people and the movie studio is a great thing coming to the town of Riverhead. And I think all of you on the Town Board are doing a great job and keep it up. Thank you."

Supervisor Villella: "Thank you, Ann. The Town Board is doing a good job. Anyone else like to-- anyone before George? George, you have the show. Whoop, are you all right?"

George Schmelzer: "-- these dogs to geese. Don't forget a dog is man's best friend. Some dogs are not beach broken; some kids aren't either. Some people aren't either at night time. So maybe they're promoting organic farming for the fish. That's what-- now if the geese, these environmentalists they all protect the geese, we've got to protect all wildlife, don't touch it, until the geese started crapping on their lawn. Boy, things are different now. Now they want to kill them, get rid of them, see. But, it's true. The trouble is the geese didn't-- were sky broken, the geese should have aimed at them when flying. I'd enjoy that. But they didn't, see.

So I notice here when the farm's development rights are sold or bought, whatever you call it, they drop the taxes. But when they passed this scenic river nonsense, I didn't see any Town Board, present or previous, reduce the taxes of people along the river who were affected by that. Then the last Town Board put this greenbelt through. It should have dropped the taxes some more. It didn't. Nothing said about that."

Councilman Kent: "Well, we're discussion a town-wide reassessment now."

George Schmelzer: "Why don't you get rid of the damn thing?"

Councilman Kent: "What? The assessments?"

Supervisor Villella: "No, the Wildlife Scenic River Act--"

George Schmelzer: "No. Get rid of the scenic river nonsense.

It disturbs everybody. It doesn't make sense, really."

Councilman Lull: "George, we did-- we made a petition to the DEC in '95 in which a what was called a Riverhead-Peconic River Management Plan which was to severely limit the Wild Scenic River Act along 25 in Riverhead Town. It's ludicrous the properties that it affects in this town."

George Schmelzer: "Well the legislator should do it. I think what Janoski and LaValle went down the river in a canoe. The thing should have turned over then we wouldn't have this mess. Well, it definitely would have polluted the water, that's the trouble, see. We'd have a temporary pollution if they fell in. Yeah. Or else we should make it complete. Do a good job, include Peconic Bay Blvd. then, see. Either that or get rid of the whole damn thing."

Supervisor Villella: "I think we should write another letter to the state on that. You're absolutely right."

George Schmelzer: "Yeah, and now I hear that the county has taken title through tax deed of the former fertilizer factory in Jamesport. Is that true?"

Councilman Cardinale: "That's true."

George Schmelzer: "It's true? Are you going to pick on the county to knock that building down like you did to the private owner? Or are you going to run away?"

Councilman Cardinale: "We already are."

Supervisor Villella: "We already told them to knock it down."

George Schmelzer: "Yeah, well then the county will have to pay for it then, huh?"

Councilman Cardinale: "Right. George, the taxpayer, you'll be pleased to know-- "

George Schmelzer: "Pardon me?"

Councilman Cardinale: "The taxpayer, even after the county takes it over, you will be pleased to know and you probably do know, has six months to redeem the property. We are in that period now,

that six month period. If he doesn't redeem it, the county is free to do with it as it pleases and we expect it to be pleased to tear it down because that's what Legislator Carraciola has talked about for a long time."

George Schmelzer: "Why don't you call it a historical building? It is a historical building. Maybe it doesn't deserve to be taken down. You've got this-- like this rotten schoolhouse you've got down by Riverhead. You're going to repair that. Now if that was private, you'd-- next day you'd (inaudible) is going to fall and hit somebody on the head. I never heard of an old building hit somebody in the head yet. Yet you are hell bent to take all these old buildings down. I don't know why. It doesn't make sense. Some of these old buildings show how the town was. There's plenty of old buildings in town. I don't dare you pick on some of them."

Supervisor Villella: "No. We're trying to preserve some of them."

George Schmelzer: "Yeah, well leave them alone then. Let the owner decide what to preserve."

Supervisor Villella: "If it's a safety issue, George."

George Schmelzer: "Oh, come on. Nobody ever got hurt. The only building that was threatening to hurt people was Rimland. You got that down. Yeah. The Town Board was stupid to buy from the county; the county could have taken it down. By the way, it looks like it's bombed out down there. When are they going to some new buildings put up?"

Supervisor Villella: "They had a water problem and the engineers were there last week."

George Schmelzer: "A water problem?"

Supervisor Villella: "Yes. They have-- there's a spring underneath so now the engineer-- instead of having a full basement, they're going to have a half basement. They're going to fill it in. They had to get the okay to do that and they're working on the process."

George Schmelzer: "A spring. All they have to need a drainpipe to the river, that's all. He's talking about the drainage. How about

that East Main Street drain pipe? When is that going to be cleaned out?"

Councilman Cardinale: "That's the state drain pipe. It was last week; it still is. Right? Isn't it? It's a state pipe."

George Schmelzer: "They're not doing anything now in this hot weather. No snow. And the grass isn't growing; there's no rain so they've got plenty of time to clean that up."

Councilman Cardinale: "You've got to talk to your friend, Senator LaValle. Incidentally, can I-- I want to make one point on your earliest point which was the Scenic Rivers Act. Isn't it true, Jim, because you were here, we weren't, that some several years ago an application was made to the DEC to diminish the area affected by that? And is it not true that after four years, we're still waiting for a response?"

Councilman Lull: "We're still waiting for a reply."

Councilman Cardinale: "That's a pretty effective response of government. The DEC was asked four years ago by this town-- "

George Schmelzer: "For this pipe?"

Councilman Cardinale: "No, not. In regard to the-- we're back to the Scenic Rivers Act, George. And they were asked four years ago to limit the impact of that act on the Town by approving a particular plan we had proposed. They have not responded and it's been nearly four years. Because Jim remembers it, but just barely. And he's been here nearly four years."

George Schmelzer: "That's the DEC, you mean?"

Councilman Cardinale: "Yeah."

George Schmelzer: "Well they didn't respond to me either."

Councilman Cardinale: "They don't respond to anybody."

Supervisor Villella: "And to Senator LaValle. We're meeting with him tomorrow."

Councilman Cardinale: "So we're going to follow that up. We're



having a meeting tomorrow. We'll keep you posted. He's meeting with the DEC on unrelated business tomorrow. He'll promise to bring that up if you promise to let us go home now."

George Schmelzer: "Yeah, well-- "

Steve Haizlip: "He owes me an answer, too."

Councilman Cardinale: "Same letter?"

Councilman Kent: "Are you going to let us go? Let us go, George. All right, we'll ask that question tomorrow."

Councilman Cardinale: "Yes, we'll ask the question. Thank you, George."

Supervisor Villella: "Thank you very much for coming tonight."

George Schmelzer: "Thank you."

Meeting adjourned: 10:45 p.m.

*Barbara Trathan*  
Court Clerk